Welcome

The *Operations Manual* is the most current statement of University of Iowa policy. All revisions have been made in compliance with the Protocol for Approval of University Policies for the University of Iowa *Operations Manual*.

Introduction

The University of Iowa is governed by state and federal law, administrative regulations, and policies of the Board of Regents, State of Iowa, which provide broad direction on University affairs. This *University of Iowa Operations Manual* contains University administrative, financial, and community policies, as well as certain University-level implementing procedures. These policies and procedures have been developed to supplement and clarify Regent policy and to incorporate specific requirements of federal, state, and administrative rules and regulations.

Scope of Manual

A University policy may include governing principles, it may either mandate or constrain action, it may ensure compliance with laws, or it may mitigate the University's risk. A policy is a set of rules or guidelines that has been officially sanctioned by the President of the University and that has University-wide application. Some University policies, though carrying institutional force and effect, are not included in the *Operations Manual*. Divisional, collegiate, or departmental procedures and guidelines, although useful and important, do not meet these criteria, and therefore are not published in the *Operations Manual*. Such procedures and guidelines shall not conflict, or have the potential to conflict, with University policies. Although not University policies, some of these procedures and guidelines are referenced in related *Operations Manual* sections, as appropriate, and/or linked to this site. Noncompliance with a University policy and/or related implementing procedure, or with other divisional, collegiate, or departmental procedure, may result in discipline.

Interpretation and Application of Policies

Members of the University with questions about the interpretation and application of an *Operations Manual* policy may seek advice from their supervisor, HR Unit Representative, the Office of the Dean of Students, etc. The Offices of the Executive Vice President and Provost, the Senior Vice President for Finance and Operations, the General Counsel, and the vice president designated in the table of contents as responsible for the policy are also available to assist in interpreting policies. The Offices of the General Counsel and the Senior Vice President for Finance and Operations may be contacted for facilitating policy development and review.

What's New

Please check What's New in the *Operations Manual* for redlined versions of policies added or amended throughout the year.

The Office of the Senior Vice President for Finance and Operations relies on and appreciates the continued assistance of the University community in updating the *Operations Manual*.

Organization of Manual

- Part I. Governance consists of two divisions: one containing a description of governance, statutory authorizations, and mission statements of University of Iowa units; and the other containing "Affiliated Organizations" -- organizations that are legally distinct from The University of Iowa but are affiliated with the University by virtue of their related missions.
- Part II. Community Policies includes policies with broad application to all members of the University community, such as the Human Rights Policy.
- Part III. Human Resources includes policies which apply to faculty and staff.
- Part IV. Students includes policies which have distinct application to students.
- Part V. Administrative, Financial, and Facilities Policies includes all policies formerly listed under the headings "Financials" and "Buildings and Campus Facilities."
- Part VI. Services describes services available to the entire University community.

Some policies are followed by a "Review" that includes a policy summary and/or frequently asked questions.

Offices/units responsible for each policy are listed in the Table of Contents below chapter and policy name.

When applicable, policy texts are followed by their legal sources: IC = *Iowa Code*, IAC = *Iowa Administrative Code*, BRPM = *Board of Regents Policy Manual*, CFR = *Code of Federal Regulations*.

Protocol for Approval of University Policies for the University of Iowa Operations Manual

The University of Iowa *Operations Manual* (OM) contains policies and procedures governing the internal operations of the University. It is available for review at the following web site: opsmanual.uiowa.edu. The *Operations Manual* is printed annually, and a copy is available for public review at the University's Main Library. Policies proposed for incorporation into the OM shall be approved under the following protocol.

In addition, overarching OM policies and procedures may be supplemented by departmental procedures that describe policy implementation practices. These supplemental procedures may be referenced in, and/or linked from, the relevant OM section, as appropriate. When changes are made to referenced and/or linked procedural materials, notice and copies of the revised procedures shall be provided in electronic form to the OM editor. These cross-references and links will be added to the OM as deemed appropriate.

New Policies

1. New University of Iowa policies will be added to the OM upon the approval of the President, who may seek advice from the Vice Presidents Group. Once approved, the policy will be sent by the President, or designee, together with a letter approving the policy, to the Senior Vice President for Finance and Operations, who will assure its inclusion in the *Operations Manual*.

2. New policies developed and approved by the Board of Regents will be added to the OM if reviewed and approved as required in paragraph 1 above. In addition, new University of Iowa policies required by and developed in response to new Regent policies will be submitted for prior approval to the Regents if deemed appropriate by the President.

Revised Policies

1. University-initiated revisions affecting the substance of existing policies which were initially adopted with the review and approval of the Board of Regents must be approved by the President (who may seek advice from the Vice Presidents

Group) and the Board of Regents. They will be added to the OM when the policy is sent by the President, or designee, together with a letter approving the policy, to the Senior Vice President for Finance and Operations, who will assure its inclusion in the *Operations Manual*.

2. All other revisions affecting the substance of existing policies must be developed in consultation between the office(s) and department(s) responsible for a given policy and the OM editor, and other constituents as appropriate, prior to submission to the President for approval and inclusion in the OM, in accordance with the protocol described in paragraph 1 above.

3. Non-substantive revisions affecting form, including editorial improvements, may be made by the OM editor with the approval of the Senior Vice President for Finance and Operations.

Questions about the approval process may be directed to the Office of the Senior Vice President for Finance and Operations.

Contact Us

Thank you for your interest in the *Operations Manual*.

For more information, or to request policy additions or revisions (see also the Protocol for Approval of Policies), please contact:

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I. Governance

Chapter 1 – The Board of Regents

(Amended 3/99; 10/14)

Article III of the Constitution of the State of Iowa vests the legislative authority of the State in the General Assembly (G.A.). It delegates broad authority to the G.A. to "provide for the educational interest of the state in any . . . manner that to them shall seem best and proper" (Article IX, Section 15), and it establishes a state university -- The University of Iowa (Article IX, Section 11). In executing its delegated authority, the G.A. established a Board of Trustees (now the Board of Regents, State of Iowa) to govern the State University. It also adopted *Iowa Code* Chapter 262, which charges the Regents with governing the State University of Iowa, the Iowa State University, the University of Northern Iowa, the Iowa Braille and Sight Saving School, the State School for the Deaf, the Oakdale campus, and the Center for Disabilities and Development (formerly the University Hospital School).

1.1 Membership

(Amended 10/14)

The Board of Regents consists of nine members, one of whom must be a full-time student enrolled at one of the three state universities at the time of appointment, who are appointed by the Governor and subject to confirmation by the Senate (IC 262.1). The officers of the Board include the president and the executive director (BRPM 1.1). The staff of the board, headed by the executive director, are responsible for providing staff assistance to the Board, reviewing and analyzing institutional proposals, and preparing recommendations to the Board (BRPM 1.8).

The members of the Board are:

a. Michael Richards, MD (2016–21)

b. Patty Cownie (2015–21)

c. Sherry Bates (2017–23)

d. Nancy Boettger (2017–23)

e. Milt J. Dakovich (2013–19)

f. Nancy Dunkel (2017–23)

g. Rachael Johnson (2015–21)

h. Larry E. McKibben (2013–19)

i. Subhash C. Sahai, MD (2013–19)

Addresses, telephone numbers, and biographical information are available from the Board of Regents website.

1.2 Mission, Powers, and Duties

The Board is responsible for the unique role of the Regents universities to provide stewardship for quality teaching, research, and service to the citizens of Iowa, including undergraduate, graduate, and professional programs in a variety of fields. The Board is responsible for ensuring quality programs for the deaf and visually impaired at the pre-collegiate level. In all areas of responsibility, the Board is responsible for appropriate and effective articulation with other sectors of postsecondary, secondary, and elementary education in the state. In addition, the Board's responsibilities include ongoing coordination between and among the Regent institutions, and between the Regent institutions and other organizations and agencies responsible for related educational functions. Together with other boards and agencies responsible for aspects of education, such as the Department of Education and the Iowa College Aid Commission, the Board of Regents is responsible for inter agency coordination and overall planning for postsecondary and special education in the state. The Board establishes and coordinates the missions and visions of each Regent institution and strives to enable that they, in concert with Iowa's other educational institutions, meet the educational needs of Iowans. The Board challenges its institutions to become the best system of public education in the United States through the unique teaching, research, and outreach programs established for each.

In its role as the Board of Trustees for the University of Iowa Hospitals and Clinics (UIHC), the Board is responsible for reviewing periodic reports on planning, programs, operation, and finance, and for governing the UIHC (IC 262.7). As provided in the bylaws approved for the UIHC, the Chief Executive Officer of the UIHC shall submit through the President of the University reports to the Board of Regents in its capacity as the Board of Trustees for the UIHC at least quarterly. (See also BRPM 1.2).

The powers and duties of the Board include: developing Regent-wide strategic plans and legislative programs; approving institutional missions, institutional strategic plans, educational policies, academic programs, institutional budgets, personnel policies, and tuition and student fee rates; for each University, electing a President, Treasurer, and Secretary, professors, instructors, officers, and employees, and fixing their compensation; making rules for admission to and for the government of, the institutions under its control; managing and controlling the property belonging to the institutions under its control; granting leaves of absence; making rules relating to the classification of students as residents or non-residents; and performing all other acts necessary and proper for the execution of the powers and duties conferred by law upon it (IC 262.9; IAC [681]11.1(7)). (See also II-32 Office of Government Relations.)

For the purpose of implementing and administering collective bargaining pursuant to Chapter 20 of the *Code of Iowa*, the Board acts as the exclusive representative of the state with respect to faculty, scientific, and other professional staff employed by institutions governed by the Board (IC 8A).

While the overall authority to govern the Regent institutions is fully vested in the Board of Regents, the Board has delegated appropriate authority to the chief executive officer of each institution. Institutional governance structures have been developed, with Regent oversight of operations and management. The Board has delegated authority to approve agreements and contracts to the Chief Executive Officer, and authorized further delegation of this authority (IAC [681]8.2(3), 12.5). (See also V-6.1 Contracting Authority.)

1.3 State Agency Policy Making

As a state agency, the Board of Regents has statutory authority under the Iowa Administrative Procedure Act (IC 17A) to make policy through adoption of administrative rules in furtherance of its statutory mandate to govern the state's universities. These administrative rules are published for public comment in the *Iowa Administrative Bulletin,* and, once adopted, they become part of the *Iowa Administrative Code.* The other source for Regent policies is the *Board of Regents Policy Manual.*

I. Governance

Chapter 2 – The University of Iowa

2.1 Purpose and Mission
(09/99; 09/07)

2.1(1) Statutory Definition

Iowa Code Chapter 263 establishes The University of Iowa. It defines its purpose as providing the best and most efficient means of imparting to men and women, upon equal terms, a liberal education and thorough knowledge of the different branches of literature and the arts and sciences, with their varied applications. It shall include colleges of liberal arts and sciences, law, medicine, and such other colleges and departments, with such courses of instruction and elective studies as the Board of Regents may determine from time to time.

2.1(2) Regents' Statement

The Board of Regents has further refined the mission statement of the University: The state university of Iowa is committed to undergraduate, professional, graduate, and continuing education. To discharge this commitment, as part of its established mission, the University engages in teaching, research, and appropriate extension, health, and other public services. The University is recognized as having a broad mandate in order that it may continue to be a distinguished state university, offering preprofessional courses, the full panoply of undergraduate liberal arts and science courses, graduate and professional work in law, medicine, dentistry, pharmacy, nursing, engineering, and allied fields related to these professional disciplines, as well as social work, business administration, journalism, education (early childhood, elementary, secondary, and higher), library science, and all the liberal arts and sciences. It will offer no major programs in agriculture; architecture; forestry; industrial arts; veterinary medicine; agricultural, aeronautical, or ceramic engineering. It will be characterized by a general orientation toward human growth, the health sciences, the humanities, the fine arts, and the social sciences. It will continue to maintain strong programs in the physical and biological sciences and engineering (IAC [681]12.1 and 12.3).

2.1(3) University Statement

Upon founding The University of Iowa in 1847, Iowa's first legislature entrusted it with a threefold mission of teaching, research, and public service. In pursuing that mission today, the University seeks to advance scholarly and creative endeavor through leading-edge research and artistic production; to use this research and creativity to enhance undergraduate, graduate, and professional education, health care, and other services provided to the people of Iowa, the nation, and the world; and to educate students for success and personal fulfillment in an increasingly diverse and global environment.

a. Aspiration. The University of Iowa aspires to attract the most talented faculty, staff, and students; to provide an environment where they can discover and fulfill their potential; and thereby to realize its promise, which is to become one of the ten most distinguished public universities in the country.

   (The institution's aspiration originated with the University Self-Study Committee and was first iterated in Building on Strength, the 1987 report prepared for the University's re-accreditation by the North Central Association of Colleges and Universities. The Self-Study Committee ... "strongly reaffirmed" the commitment. In the 1995–2000, 2000–2005, and 2005–2010 strategic plans, the University has continued to express confidence in the motivational value of the University's bold and lofty Aspiration.)

b. Goals.

   (1) To create a University experience that enriches the lives of undergraduates and helps them to become well-informed individuals, lifelong learners, engaged citizens, and productive employees and employers.

   (2) To cultivate excellent graduate and professional programs, and to advance the research and scholarly enterprise.

   (3) To promote excellence in education by increasing the diversity of the faculty, staff, and students.

   (4) To strengthen the University's intellectual and community vitality.

   (5) To broaden the University's service mission to include stronger partnerships with public constituencies.

c. Core Values. In planning, setting priorities, and carrying out every aspect of its mission, The University of Iowa is guided by seven interdependent commitments:

   (1) Excellence,

   (2) Learning,

   (3) Community,

   (4) Diversity,

   (5) Integrity,

   (6) Respect, and

   (7) Responsibility.

The University of Iowa is a community of faculty, staff, students, alumni, and friends who seek to advance knowledge and foster learning across a broad range of academic endeavors. So that learning and creative expression may flourish, the University takes seriously its obligation to protect academic freedom and free expression; maintain a safe, supportive, healthy, and humane environment; and nourish a system of collaborative decision making based on mutual respect and shared governance. Because diversity, broadly defined, advances its mission of teaching, research, and service, the University is dedicated to an inclusive community in which people of different cultural, national, individual, and academic backgrounds encounter one another in a spirit of cooperation, openness, and shared appreciation.

The University recognizes its accountability to the people of Iowa and the need to exercise responsible stewardship over the intellectual and material resources entrusted to it, including the need to direct those resources to programs and initiatives that are central to the University's core mission. In all that it does, the University measures itself by exacting standards, promotes continuous improvement, honors excellence and high aspiration, and holds its community as a whole to the highest degree of honesty, fairness, and personal integrity.

2.2 Tax Information

The University of Iowa is tax exempt under Section 115 of the United States Internal Revenue Code. Charitable contributions to the University are deductible to the taxpayer.

(See also V-13 Internal Audits; V-5.5 Facilities and Administrative Costs.)

2.3 Organizational Charts and Mission Statements

2.3(1) The University of Iowa Organizational Chart

The University of Iowa Organizational Chart

2.3(2) Office of the Executive Vice President and Provost Organizational Chart

Office of the Executive Vice President and Provost Organizational Chart

2.3(3) Office of the Senior Vice President for Finance and Operations Organizational Chart

Office of the Senior Vice President for Finance and Operations Organizational Chart

2.3(4) Office of the Chief Human Resources Officer Organizational Chart

Office of the Chief Human Resources Officer Organizational Chart

2.3(5) Office of the Vice President for Research and Economic Development Organizational Chart

Office of the Vice President for Research and Economic Development Organizational Chart

2.3(6) Office of the Vice President for Medical Affairs Organizational Chart

Office of the Vice President for Medical Affairs Organizational Chart

2.3(7) Office of the Vice President for Student Life Organizational Chart

Office of the Vice President for Student Life Organizational Chart

2.3(8) Chief Diversity Office Organizational Chart

Chief Diversity Office Organizational Chart

2.3(9) Office of the Vice President for Legal Affairs and General Counsel Organizational Chart

Office of the Vice President for Legal Affairs and General Counsel Organizational Chart

2.3(10) (Reserved for future use)

2.3(11) Office of the Vice President for External Relations Organizational Chart

Office of the Vice President for External Relations Organizational Chart

2.3(12) (Reserved for future use)

2.3(13) The University of Iowa Hospitals and Clinics (UIHC) Organizational Chart

a. The University of Iowa Hospitals and Clinics Organizational Chart

b. UIHC Mission. The University of Iowa Hospitals and Clinics, in compliance with the Code of Iowa, serves as the teaching hospital and comprehensive health care center for the State of Iowa, thereby promoting the health of the citizens of Iowa. The UIHC, in concert with The University of Iowa health science colleges, functions in support of health care professionals and organizations in Iowa and other states by: 1) offering a broad spectrum of clinical services to all patients cared for within the Center and through its outreach programs; 2) serving as the primary teaching hospital for the University; and 3) providing a base for innovative research to improve health care (see IC 263.18-23).

2.3(14) Center for Disabilities and Development Mission

(See IC 263.9-13.)

2.3(15) Psychiatric Hospital Mission

(See IC 225.)

2.3(16) State Hygienic Laboratory Mission

(See IC 263.7.)

2.3(17) Oakdale Campus

(See IC 271.)

2.3(18) State Archaeologist Mission

(See IC 263B.)

2.3(19) Center for Agricultural Health and Safety

(See IC 262.78.)

2.3(20) Center for Health Effects of Environmental Contamination

(See IC 263.)

2.3(21) International Center for Talented and Gifted Education

(See IC 263.8A.)

2.3(22) Child Behavior and Development Institute

(See IC 263.5.)

2.3(23) Organizational Charts of Colleges

(See Appendixes.)

2.4 The President

2.4(1)
The President of the University is the Chief Executive Officer of the institution, and has the authority and duties that have been delegated by the Board of Regents, including authority to contract. This contracting authority has been delegated on a limited basis to other University officials (see V-6.1 Contracting Authority). Under the President's leadership, the educational, research, and service missions of The University of Iowa are fulfilled in compliance with policy established by the Board of Regents. (See IAC [681]8.2 and [681]12.2.)

2.4(2)
The President of The University of Iowa is Bruce Harreld.

2.5 The Executive Vice President and Provost; Vice Presidents; and General Counsel

The Executive Vice President and Provost, Vice Presidents, and General Counsel are directly accountable to the President for the execution of the responsibilities assigned to them by the President.

2.5(1)
The Interim Executive Vice President and Provost is Susan J. Curry.

2.5(2)
The Senior Vice President for Finance and Operations is Rod Lehnertz.

2.5(3) (Reserved for future use)

2.5(4)
The Vice President for Research and Economic Development is Daniel Reed.

2.5(5)
The Vice President for Student Life is Melissa Shivers.

2.5(6)
The Vice President for Medical Affairs is Jean Robillard.

2.5(7)
The Vice President for Legal Affairs and General Counsel is Carroll Reasoner.

2.5(8) (Reserved for future use)

2.5(9)
The Chief of Staff and Vice President for External Relations is Peter Matthes.

2.5(10) (Reserved for future use)

2.6 The Chief Executive Officer of the University of Iowa Hospitals and Clinics
(Amended 10/30/15)

The University of Iowa Hospitals and Clinics (UIHC) provide tertiary level patient care, clinical education, and clinical research. The Chief Executive Officer of UIHC is directly accountable to the Vice President for Medical Affairs.

2.6(1)
The CEO of UIHC is Kenneth P. Kates.

2.7 The Deans

The academic mission of the University is principally carried out through its eleven colleges: pharmacy, law, education, nursing, medicine, dentistry, public health, liberal arts and sciences, engineering, business, and the graduate college. The deans of these colleges are the chief administrative officers. They are directly accountable to the Executive Vice President and Provost or appropriate vice president, and in some instances to the President, for the colleges, schools, and administrative units for which they are responsible.

2.8 Advisory Bodies

The policy making of the University is assisted by advisory committees and councils which have been convened by the President to provide counsel and advice in a variety of areas.

2.8(1) The University Faculty Senate and the University Faculty Council

(The following is a reproduction of the Constitution of the Faculty Senate and the Council, adopted by the General Faculty 3/10/67; approved by the President of the University and by the State Board of Regents 4/14/67, and as amended by vote of the Faculty, and approval by the President and by the Board of Regents 11/14/69.) (Amended, Regents 6/26/75; 6/15/78; 4/18/84; 2/21/90; 9/93; 11/97; 2/98; 4/99; 7/00; 3/24/10)

a. General. The Faculty Senate and the Faculty Council of The University of Iowa are elected bodies through which the faculty expresses its concern for the welfare of the University, develops and disseminates ideas for University improvement, and contributes to the formation of general University policy.

b. Definitions.

(1) The "University Faculty Senate" is the representative and deliberative organization of the faculty of The University of Iowa.

(2) The "University Faculty Council" is the administrative agency of the University Senate.

(3) For the purposes of this constitution: "Faculty who hold tenured appointments" are all those faculty who have been awarded or appointed with tenure as tenure is defined in the University of Iowa *Operations Manual* (see III-10). "Faculty who hold nontenured appointments" are all those faculty who hold the rank of professor, associate professor, or assistant professor and who hold neither tenure nor a clinical appointment. "Faculty who hold salaried clinical appointments" are all those faculty who do not have tenure and who have been appointed to salaried clinical faculty positions as those positions are defined in the University of Iowa *Operations Manual*. "Probationary salaried clinical faculty" are those salaried clinical faculty who are in their initial appointment and who have not undergone the full-scale, departmental-collegiate review provided for under III-10.8c(1) of the *Operations Manual*.

c. The University Faculty Senate.

(1) Powers and Duties:

(a) The Senate may discuss and take a position on any subject of University concern.

(b) The Senate may formulate and recommend policies to the President of the University on all subjects of University concern.

(c) The Senate appoints the members of the faculty who serve on general University committees and the members of the Faculty Judicial Commission. If it is possible to do so the Senate should appoint at least one of its own members to each University committee.

(d) The Senate receives and reviews the reports from all general University committees.

(e) Through the Committee on the Selection of Central Academic Officials, the Senate consults with the Board of Regents regarding the selection of the President of the University and with the President regarding the selection of other central academic officials. Participation by members of the Committee on the Selection of Central Academic Officials in the selection of the President and other central academic officials shall be determined by the Board of Regents in the selection of the President and by the President in the selection of other central academic officials after consultation with the president of the Faculty Senate and the Chairperson of the Committee on the Selection of Central Academic Officials, with a goal of insuring substantial participation by members of the Committee on the Selection of Central Academic Officials in the selection process, consistent with other committee obligations of the members and the exigencies of the particular search. Participation by faculty who are not members of the Committee on the Selection of Central Academic Officials shall be determined by the Board of Regents in the selection of the president and by the president in the selection of other central academic officials after consultation with the president of the Faculty Senate and the Chairperson of the Committee on Committees.

(f) The Senate may call meetings of the faculty.

(g) The Senate is the judge of its own membership.

(h) The Senate may adopt bylaws for declaring vacant the seat of any member of the Senate or Council who fails to attend meetings of the Senate or Council.

(2) Composition. The Senate consists of at least one representative from each college except the Graduate College and additional representatives based on the number of faculty members in each college eligible to vote under I-2.8(1)e of this Constitution. The number of such additional representatives is determined as follows: the number of voting faculty members in the entire faculty is divided by sixty; the quotient, rounded to the nearest whole number, is then divided into the number of voting faculty members in each college and the result, rounded to the nearest whole number, is each college's quota of additional representatives.

Besides the representatives elected as specified above, who may (except as otherwise provided in this paragraph) hold either tenured, non-tenured, or salaried clinical appointments to the faculty, the Senate also includes eight representatives who at the time of their election must hold non-tenured appointments or probationary salaried clinical faculty appointments. Of these eight non-tenured or probationary representatives, three are elected from the College of Liberal Arts and Sciences, two from the College of Medicine, and three at-large from the remaining colleges. No more than 20 percent of the senators from any college, or one senator, whichever is greater, may be clinical track faculty of that college.

(3) Terms. A member of the Senate is elected for a three-year term and may be re-elected to a second term of three years. Following one or more years of absence from the Senate, a faculty member becomes eligible once more to serve two consecutive terms. A first term may be automatically extended by election to the Council as specified in I-2.8(1)d(3) below. In such a case a member of the Senate may be re-elected only to an abbreviated term, the length of which is the unexpired portion of the second three years of eligibility. Either a first term or a second consecutive term may be automatically extended by election as an officer of the Senate as specified in paragraph (5) below.

(4) Eligibility. Members of the faculty who are eligible to vote for members of the Senate are also eligible for election with the following exceptions: 1) those who are

completing the second of two consecutive terms in the Senate, and 2) those deans, directors, and central administrative officers whose duties are judged by the Committee on Elections to be primarily administrative.

(5) Officers. The officers of the Senate are a president, a vice president, and a secretary. Any newly elected, continuing, or departing member of the Senate, or any person who has served at least three years in the Senate at any time, shall be eligible to be elected as an officer. Any person elected as an officer of the Senate shall automatically be a member of both the Senate and the Faculty Council. Terms are for one year and begin with the adjournment of the organizational meeting. The vice president and the secretary shall be elected by a majority of those present and voting at the organizational meeting. The president shall be the person whose term as vice president is just ending. No one may hold two offices simultaneously or serve consecutive terms in the same office. If the president's service in the Senate would otherwise end at the conclusion of his or her term as president, it shall be automatically extended for one year.

If the office of president becomes vacant, the vice president shall become president for the remainder of that term and remain president for the following term. If the office of vice president becomes vacant, it may remain vacant until the end of the term, in which case the Senate shall elect a president as well as a vice president and secretary at its organization meeting. Alternatively, at any time during a vacancy in the office of the vice president, the Faculty Council may call an election to fill the vice presidency, and a vice president shall then be elected at the next regularly-scheduled Senate meeting, provided that at least 10 days notice of the election has been given to the Senate membership. If the office of president becomes vacant when the office of vice president is also vacant, the secretary shall convene a special meeting of the Senate with at least 10 days notice (unless the organization meeting is sooner) at which a president shall be elected to serve the remainder of the term. That person shall be eligible for election as president for the following term. If the office of secretary becomes vacant, the president shall appoint an acting secretary for the remainder of the term. In the event that any vacancy in any Senate office occurs in a manner not contemplated by these rules, the Faculty Council may call an election to fill the vacant office. The election may be held at a special meeting of the Senate called for that purpose, or at a regularly-scheduled Senate meeting, provided that at leat 10 days notice of the election has been given to the Senate membership.

(6) Procedures.

(a) Regular Meetings. The Senate meets in regular session four times each year, not less than twice each semester. Other meetings may be called by the president or by the President of the University. The president shall call a meeting of the Senate at the request of ten percent of the Senate membership or a majority of the Council. Any member of the faculty may address to the Council a request for a meeting of the Senate.

(b) The presiding officer of the Senate is the president. In the absence of the president, the presiding officer is the vice president and if both are absent the secretary serves as presiding officer.

(c) The Council provides agendas for meetings of the Senate. These agendas may be amended from the floor.

(d) In meetings of the Senate the right of the floor is limited to: 1) members of the Senate, 2) the President of the University or a personal representative designated by the President of the University, 3) the Dean of Faculties of the University, 4) the Dean of the Graduate College, 5) members of committees reporting to the Senate, and 6) other persons granted the floor by the Senate.

(e) The meetings of the Senate shall be open. Executive sessions may, however, be held by majority vote of the Senate. In executive sessions attendance is limited to 1) members of the Senate, 2) the President of the University or a personal representative designated by the President of the University, 3) the Dean of Faculties of the University, 4) the Dean of the Graduate College, and 5) other persons approved by majority vote of the Senate. Some portion of each regular meeting must be open. A report of each executive session must be made in the next open meeting. Written reports of open meetings are distributed to all members of the faculty.

(f) A quorum of the Senate consists of more than one-half of its members.

(g) The existence of the Senate shall not preclude other means of communication between the President of the University and the faculty.

(7) Committees.

(a) The Senate may establish such general or special committees as its business may require.

(b) The committees of the Senate are named by the president with the advice and consent of the Senate.

d. The University Faculty Council.

(1) Powers and Duties.

(a) The Council represents the Senate when the Senate is not in session.

(b) The Council operates under procedures set forth by the Senate, undertakes all tasks assigned to it by the Senate, and reports on its activities to the Senate.

(c) The Council is available for consultation with the Board of Regents, the President of the University, or any official designated by either.

(d) The Council is responsible for and maintains the records of Senate proceedings and all reports and communications received from University and Senate Committees.

(e) The Council is responsible for publishing and distributing to the faculty reports of all sessions of the Senate and of the Council.

(f) The Council may organize itself, subject to this Constitution and Senate directives, in any manner appropriate to the accomplishment of its duties.

(2) Composition. The Council is composed of members of the Senate elected by the faculty to serve on the Council, together with the officers of the Senate, if they are not otherwise members of the Council. The regularly elected members shall include at least one member from each college represented in the Senate. Colleges whose faculty membership exceeds one-twelfth of the total number of faculty are entitled to one additional Council member, those whose faculty exceeds two-twelfths of the total faculty are entitled to two additional members, and so on.

(3) Terms. A member who is elected to the Council during a first term in the Senate, or at the beginning of a second term, serves on the Council for a three-year term. Election to the Council during the second or third year of a first Senate term automatically extends membership in the Senate by one or two years, as the case may be. Council members may be elected during a second term in the Senate and serve for the remainder of their second Senate terms. Upon expiration of a three-year term, a faculty member is not eligible to be elected to the Council again until a full year has passed following the end of that term. Officers of the Senate who are not otherwise members of the Council serve on the Council during their terms as officers of the Senate. But the president of the Senate is also invited to serve on the

Council during the year after his or her term as president. While serving on the Council the past president has the right to vote and all other rights of a member of the Council.

(4) Eligibility. Members of the Senate are eligible for election to the Council except during the year which follows a three-year term on the Council.

(5) Officers. The president, vice president, and secretary of the Senate are respectively the president, vice president, and secretary of the Council. No one may serve two consecutive years in any of these offices but may hold different offices in successive years.

(6) Meetings. Meetings of the Council shall be open. Executive sessions may, however, be held by majority vote of the Council. In executive sessions attendance is limited to 1) members of the Council, 2) the President of the University or a personal representative designated by the President of the University, 3) the Dean of the Faculties of the University, 4) the Dean of the Graduate College, and 5) other persons approved by majority vote of the Council. Some portion of each regular meeting must be open. A report of each executive session must be made in the next open meeting. Written reports of open meetings are distributed to all members of the faculty.

e. Elections.

(1) General Rules. Elections are held annually under the supervision of the Senate Committee on Elections. Tenured, nontenured, and salaried clinical faculty who hold the rank of professor, associate professor, and assistant professor are considered members of the faculty and eligible to vote. Faculty members not attached to a represented college are assigned to the most appropriate of the represented colleges for electoral purposes. Faculty members holding emeritus status are not eligible to vote. The Committee on Elections may also recommend that persons engaged in teaching or research under other titles be permitted to vote. The Committee on Elections presents to the Senate a list of persons eligible to vote in each college, a list of positions to be filled, and a list of persons eligible to vote but not to be elected to certain offices. These lists become official upon approval by the Senate. In all elections, all votes have the same weight.

Four elections are held each year: 1) nominations for the Senate, 2) the Senate election, 3) the Council election, and 4) the election of officers of the Senate.

A college which wishes to apportion its representatives to the Senate or the Council among subdivisions of the college must present a plan for this purpose to the Senate for approval. When such a plan is approved, the appropriate decisions regarding eligibility for election are made by the Committee on Elections.

(2) Nominations for the Senate. On the nominating ballot, a faculty member may make one nomination for each vacant position in the Senate for which the faculty member is eligible to vote. Twice as many nominees are chosen as there are vacancies. A faculty member who receives sufficient votes to be nominated becomes a nominee upon being notified and consenting to run. One who may be nominated for either an at-large vacancy or a collegiate vacancy may choose to run for either but not both. When a faculty member decides not to run, the person receiving the next largest number of votes is invited to be a candidate. Cases of ties are decided by lot by the Committee on Elections.

(3) Senate Elections. The Senate ballot for each college contains twice as many names as there are vacant positions. Each eligible voter may vote for as many names as there are positions to be filled. A voter may vote for fewer than this number but may not cast more than one vote for one person.

(4) Council Election. In some cases, election to the Council is automatic, e.g., the case of a college with two representatives in the Senate of whom one is currently serving on the Council. When a college has more than enough eligible members of the Senate to fill vacant positions on the Council, the Committee on Elections sends to the college a ballot containing all the eligible names. Each voter may vote for as many persons as there are positions to be filled. A voter may vote for fewer than this number but may not cast more than one vote for one person.

The Committee on Elections reports the results of the voting to the Senate. When the report is approved, the candidates with the highest number of votes are declared elected.

(5) Elections of Officers of the Senate. As soon as possible after the last regular meeting in the spring semester, the newly elected and continuing members of the Senate hold an organizational meeting in which they elect a vice president and a secretary for the coming year. They also elect a president if the past year's vice president is unable to succeed to the presidency.

(6) Vacancies.

(a) Vacancies arising between elections. Vacancies on both the Senate and the Council which arise between annual elections are filled by the Senate from eligible members of the constituency affected for a term expiring June 30 following the next annual election.

(b) Vacancies in prospect at the time of elections. If a vacancy for one year or more on the Senate or Council is in prospect at the time of the annual election, the vacancy is filled by regular election procedures. If a vacancy for less than one year is in prospect, it is filled by the Senate from eligible members of the constituency affected.

(c) Eligibility for reelection. Service in a vacancy which extends over more than eighteen months' time is considered equivalent to a full term in determining eligibility for reelection.

(7) Leave of Absence. Any member of the Senate or the Council who is on leave or who anticipates being on leave from the University may request a leave of absence from the Senate or the Council. The seat of the absent member shall be filled for the period of the absence in the manner prescribed for filling other vacancies.

f. Amendments. Amendments to this constitution may be initiated by 1) persons having the right of the floor in the Senate, or 2) petition to the Senate by at least ten faculty members.

An amendment becomes effective when approved by 1) a majority of those voting in the Senate, 2) a majority of those voting in a faculty referendum, 3) the President of the University, and 4) the Board of Regents, provided, however, that in the case of any amendment to I-2.8(1)c(2) — regarding the limitation on representation of clinical track faculty to twenty percent of the representatives from any college — the required vote of the Senate shall be a three-fifths affirmative vote of those voting.

g. Bylaws. The Senate may by majority vote establish bylaws, not inconsistent with this constitution, governing the conduct of the business of the Senate and of the Council and such other matters as may be within its competence. Any member of the Senate may propose additions, amendments, or deletions to the bylaws by submitting a written text of the proposal to the secretary of the Senate at least 14 days before the meeting at which it is to be considered. The secretary of the Senate shall circulate the same to all members of the Senate prior to the meeting.

2.8(2) The Association of Emeritus Faculty and Emeritus Faculty Council

(Amended 06/19/2000)

a. Name and Membership.

(1) The Emeritus Faculty Council, referred to below as "Council," is the eighteen member executive committee of the Association of Emeritus Faculty of The University of Iowa, referred to below as "Association," and is elected by members of the Association. The Council shall conduct the business of the Association between the Association's annual meetings.

(2) Membership in the Association includes all persons who, before they retired, were eligible to vote in the election of members of The University of Iowa Faculty Senate.

(The 1998 Constitution of the Faculty Senate defines those eligible to vote as including all traditional tenured and tenure-track faculty members plus the following non-traditional faculty members:

"Tenured, non-tenured, and salaried clinical faculty who hold the rank of professor, associate professor, and assistant professor are considered members of the faculty and eligible to vote. Faculty members not attached to a represented college are assigned to the most appropriate of the represented colleges for electoral purposes.")

b. Goals.

(1) The goals of the Association and Council are to provide advice and assistance to its current and prospective members on matters of mutual concern, and to the University in carrying out its various missions. In seeking to achieve these goals, the Association and Council shall:

(a) Establish and maintain contact with current and prospective emeritus faculty; and

(b) Consult on a regular basis with current Faculty Senate officers and appropriate University officials and offices.

(2) In addition, the Association, at its annual or special meetings, and the Council, between such meetings, may consult with any individuals or groups and make recommendations to its members and/or to the University on any matters they deem appropriate.

c. Meetings of the Association.

(1) The Association shall meet annually. Other meetings shall be called by the President of the Council to consider one or more specific issues if requested to do so by:

(a) A majority of the Council.

(b) Twenty members of the Association.

(2) The presiding officer of the Association meetings is the President of the Council. In the absence of the President, the Vice President will preside, and if both are absent, the Secretary will presid(e). If none of the officers are present, the Association will designate the presiding officer from among the remaining members of the Council by majority vote.

(3) The Council will provide the tentative agenda for all meetings of the Association subject to the approval of the Association. The agenda may be amended from the floor of the Association meeting.

(4) A quorum of the Association shall be 36 members.

(5) Meetings of the Association shall be open unless a majority votes to meet in executive session. Some portion of each meeting must be open. A report of each executive session shall be made in the next open meeting.

d. Composition and Functioning of the Council.

(1) To assure representation across the University, membership on the Council will include at least one representative from each college (nine members) except the Graduate College, and, to assure that the Council membership also reflects, at least roughly, the difference in the number of retirees from different colleges, the three colleges with the largest number of retirees will provide the remaining nine members as follows: the College of Liberal Arts and Sciences five additional members; the College of Medicine three additional members; and the College of Education one additional member. Voting for the members representing each college will be restricted to eligible Association members from those colleges. The Executive Vice President and Provost or his or her designee shall serve ex-officio as liaison to the Council from the Office of the Executive Vice President and Provost.

(2) Elections of Council members shall take place prior to July 1 each year, with the first election occurring in the year 2000. Each year six Council members shall be elected to serve three-year terms starting on July 1 of the year of their election. Members of the Council are eligible for election for no more than two successive three-year terms. Following one or more years of absence from the Council, a former Council member becomes eligible once more to serve two consecutive terms.

(The terms of office of members of the initial Council are staggered, so that six persons were appointed to a one-year term, six to a two-year term, and six to a three-year term. The terms of those now on the Council will be deemed to commence on July 1, 1999, and Council members with one-year only appointments may serve one additional three-year term.)

(3) Officers.

(a) The Council will elect its own officers. The officers of the Council are President, Vice President who shall be President Elect, and Secretary. Terms are for one year commencing July 1, 1999.

(b) If the President Elect's (Vice President's) term on the Council would otherwise end at the time he or she is to take office, the term shall be extended automatically for one year. No one may hold two offices simultaneously or serve consecutive terms in the same office.

(c) If the Office of President becomes vacant, the Vice President shall become President for the remainder of that term and remain President for the following term. If the office of Vice President becomes vacant, it may remain vacant until the end of the term, in which case the Council will elect a President as well as a Vice President and Secretary at the time scheduled for the next election of officers. At the Council's option, a Vice President may be designated before the regular election.

(d) The Council President may establish such general or special committees as the Association's business may require, and such committees may include both Council members and members of the Association who are not on the Council.

(4) Meetings of the Council shall be open unless a majority of Council members vote to meet in executive session. Some portion of each meeting must be open. A report of each executive session shall be made in the next open meeting. A majority of the Council will constitute a quorum.

e. Powers and Duties of the Council.

(1) The Powers and Duties of the Council are:

(a) To represent the Association and act as its executive committee between meetings of the Association's members. The Council will organize itself in any manner appropriate for the accomplishment of its duties.

(b) To report on its activities to Association members at the annual meeting of the Association, and, to the extent feasible, by correspondence between annual meetings.

(c) To consult with and counsel members and prospective members of the Association, the officers of the Faculty Senate, the Executive Vice President and Provost, and other appropriate University officials on matters of mutual concern.

(d) To maintain the records of its own proceedings, Association proceedings, and all reports and communications received from Association and Council committees and maintain a liaison with the University of Iowa Retirees Association.

f. Elections to the Council — The Process.

(1) Election to the Council will be supervised by a Committee on Elections appointed by the President with the approval of the Council.

(2) Nominations for Council membership.

(a) The Committee on Elections will solicit nominations for election to the Council from members of the Association. On the nominating ballot, Association members may make one nomination for each vacant position on the Council, whether from their own college or another.

(b) The names of the two eligible members who receive the highest number of nominations for each vacancy will appear on the ballot if they consent to run. If one or both decline to run, the name(s) of the eligible member(s) with the next highest number of nominations who consent to run will appear on the ballot.

(c) The election ballot normally shall contain twice as many eligible nominees as there are vacancies. If only one of those nominated for a vacant position consents to serve, the Committee on Elections will try to identify another eligible member willing to serve, and if it succeeds, both names will appear on the ballot. If not, one name will appear.

(d) If no member from a college is willing to serve, that college will not have a representative on the Council until the next election unless the sitting Council member from that college is willing to continue serving for an additional year. The two consecutive three-year term limitation will not bar such service.

(3) The Committee on Elections will prepare and distribute ballots to members. After counting the ballots, the Committee will certify the results to the membership.

(4) Vacancy.

(a) If a vacancy for one year or more on the Council is in prospect at the time of the annual election, the vacancy will be filled by regular election procedures. If a vacancy for less than one year is in prospect, it will be filled by the Council (from eligible members of the constituency affected).

(b) Service in a vacancy that extends for more than eighteen months is considered equivalent to a full term in determining eligibility for reelection.

g. Amendments. Amendments to the bylaws may be initiated by the Council or at the annual meeting of the Association on motion of any member. The Association will be asked to approve a proposed change by paper ballot distributed to all members, with a change requiring a majority vote of those voting.

h. Parliamentary Authority. The rules contained in the current edition of *Robert's Rules of Order, Newly Revised* shall govern the Council and the Association in all cases to which they are applicable and in which they are not inconsistent with these bylaws and any special rules of order the Council and Association may adopt.

2.8(3) University Staff Council

(Amended 04/93; 09/93; 10/94; 12/95; 05/96; 09/97; 05/98; 12/02; 02/06; 04/07; 09/14/11)

a. Name [Article I]. The name of this organization shall be the University Staff Council of The University of Iowa. Herein referred to as "the Council."

b. Mission and goals [Article II].

(1) Mission. The Council supports the University mission. In pursuing that mission, the Council seeks to advance such endeavors through visibly active staff participation/involvement both campus-wide and community-wide in a spirit of unity and open communication with other shared governance organizations on campus.

(2) The goals of the Council are to:

(a) Advocate on behalf of represented staff;

(b) Advise the University Administration on policies;

(c) Inform the University community of the activities of the Council;

(d) Promote University relations within the community of Iowa City and the state of Iowa;

(e) Collaborate with shared governance organizations on campus, notably the Faculty Senate, Student Government and organizational shared governance groups;

(f) Promote staff learning through professional development and awards; and

(g) Promote communication and shared governance among staff, central administration, Faculty Senate, and Student Government.

c. Organization [Article III].

(1) The Council represents regular employees of the University, who are classified as Professional and Scientific or Merit staff and are not represented by an exclusive bargaining agent. Membership on the Council is based upon representation from job functions and organizational units. The Council will be comprised of 55 members:[1] 35 representing Job Function/combined Job Function Categories, herein referred to as Job Function Categories, and 20 representing Organizational Unit/combined

Organizational Unit Categories, herein referred to as Organizational Unit Categories.

(2) Representation will be reevaluated every 3 years beginning 2014.

d. Official Publication [Article IV]. Council information will be available on the Council website and to the Office of Strategic Communication for publication.

e. Operational year [Article V]. The operational year of the Council shall be from April 1 to the following March 31.

f. Council Nominees [Article VI].

(1) Those eligible for nomination shall be regular employees of the University, either full time or part time, who are classified as professional and scientific or merit staff and are not represented by an exclusive bargaining agent.

(2) Council nominees should discuss their desire to be on Council with supervisor(s) to assure that time away from work will be allowed for approximately 3–4 hours per month to conduct Council activities, such as monthly meetings and committee assignments. Refer to paragraph i (article IX) for councilor duties.

g. Nominations to the Council membership [Article VII].

(1) A standing committee shall be appointed, according to paragraph f, which will oversee nominations to the Council. This committee shall be known as the Elections Committee.

(2) The call for nominations shall be as follows:

(a) Three months before the next operational year begins, the Council shall advertise upcoming nominations for Job Function councilors. Nominations for vacancies in a Job Function Category shall be sent to the Elections Committee of the Council no later than 2 months before the operational year begins.

(b) Nominations for vacancies in an Organizational Unit Category shall be determined by its organizational unit Category shared governance process no later than 1 month before the next operational year begins.

(3) Employees who are represented by the Council may seek election to the Council, as long as the term limits are not exceeded. Refer to paragraph i (article IX).

h. Elections to the Council Membership [Article VIII].

(1) The Council elections shall be as follows:

(a) The names of all eligible Job Function nominees shall be placed on the ballot. Ballots shall be prepared and approved by the Elections Committee. Nominations may not close before the first day of the second month before the next operational year begins. Ballots will be electronically distributed to all employees in the Job Function Category no later than the fifth working day of the second month before the next operational year begins. The deadline for election of councilors will be 2 weeks after the distribution date.

(b) The names of all eligible Organizational Unit nominees and voting procedures shall be determined by the Organizational Unit Categories shared governance processes. Councilors must be elected, not appointed to represent the Organizational Unit Category.[2] The Vice President/President Elect will serve as an advisor to each Organizational Unit. See paragraph k(2)(f).

(2) Election results will be verified and reported as follows:

(a) Following the Job Function Categories election, results will be approved and certified by the Elections Committee. In case of a tie, the winner shall be chosen by random draw administered by the Elections Committee. Results of the election shall be formalized by notification to the Council Secretary for permanent Council file no later than 2 weeks before the operational year begins.

(b) Following the Organizational Unit Category elections, results will be approved by their respective Organizational Unit Category Shared Governance Committee and communicated to the Elections Committee. The Elections Committee will give Organizational Unit representative results to the Council Secretary for permanent Council file no later than two weeks before the operational year begins.

(c) A Councilor may not represent both Job Function and Organizational Unit. In the event the same person is elected to represent a Job Function Category and an Organizational Unit Category, the Elections Committee will determine placement and the representative vacancy shall be filled in accordance with paragraph o.

(3) Any candidate listed on the official ballots for annual election may ask for an audit of the election within 7 days of the date of mailing of the election summary. Said audit request must be presented in writing to the chair of the Council Elections Committee or the chair of the Organizational Unit Category Shared Governance Committee, whichever applies. An authorized audit of election ballots shall be performed by an impartial third party.

(4) All newly elected councilors will begin at the start of the operational year.

(5) In the event that a councilor changes positions within the University to another represented Category, the councilor may continue to serve on the Council until the end of the operational year, with the approval of the Organizational Unit Category Shared Governance Committee or the Elections Committee. In the event of a vacancy, refer to paragraph o.

(6) In the event that a member of the Council changes positions within the University to a category not represented by the Council or terminates employment, the member's term ends immediately. In the event of a vacancy, refer to paragraph o.

i. Membership [Article IX].

(1) Term of membership:

(a) Councilors shall serve no more than 2 consecutive elected 3-year terms.

(b) Councilor terms shall be 3 years unless a vacated term is being completed, or if the Budget Officer, Vice President/President Elect, or President is in the last year of their Council term, in which case this councilor's term is extended in order to fulfill the duties of Budget Officer, President, and/or Past President.

(c) Reelection can be sought after a 1-year leave.

(2) Duties of membership:

(a) Regularly attend meetings and participate in discussions.

(b) Solicit information/opinions from constituents and share with Council.

(c) Disseminate Council information to constituents.

(d) Accept at least one Council committee assignment.

j. Officers [Article X].

(1) The officers of the Council shall be a President, Vice President/President Elect, Past President, Secretary, and Budget Officer.

(2) Nominations for the officers of Council shall be made at the meeting 2 months prior to the operational year. The officers shall be elected by the Council at the following meeting.

(3) All officers of the Council shall assume their duties at the beginning of the operational year.

(4) If the office of President becomes vacant within the first 6 months of the operational year, a President shall be elected from the Councilors to serve the remainder of the term. If the office of President becomes vacant within the last 6 months of the operational year, the Vice President/President Elect shall become President for the remainder of that term and assume the office of President the following year.

(5) If the office of Vice President/President Elect becomes vacant, a Vice President/President Elect shall be elected by the Councilors to serve the remainder of the term, and assume the office of President the following year.

(6) If the Office of Secretary or Budget Officer becomes vacant, the President shall appoint a Secretary or Budget Officer from Council membership for the remainder of the term.

(7) If the office of the Past-President becomes vacant, the President may appoint a Past-President from current or previous Councilors to serve for the remainder of the term. The appointed Past-President shall have completed at least 1 full term as President prior to the appointment.

k. Duties of Officers [Article XI]. The duties of the officers are those implied by their respective titles and as specified in these bylaws.

(1) The President shall:

(a) Preside at all meetings of the Council, Executive Committee and Goals Committee.

(b) Convene the Executive Committee, and Goals Committee as needed, to appoint Council members to all ad hoc, external, or standing committees. These appointments are subject to the acceptance of the members so appointed.

(c) Submit appointments or recommendations for representation on University committees in consultation, as necessary, with the Committee on Committees.

(d) Prepare an agenda for each meeting over which the President presides.

(e) Prepare the Annual Report for the President of the University for presentation at the Council meeting at the first meeting whereby new councilors are asked to attend.

(f) Appoint a President pro tem in the event of the absence of the President and Vice President/President Elect.

(g) Submit Council recommendations to appropriate University officials.

(h) Serve on the Faculty Staff Budget Committee as ex-officio member.

(i) Hire and supervise support staff.

(j) Serve as past-president the following year.

(k) Serve on the UI Shared Governance Council.

(l) Perform such duties as may arise pertaining to the office of President.

(m) Term: 1 year.

(2) The Vice President/President Elect shall:

(a) Perform the duties of the President in the absence of the officer.

(b) Perform such duties as the President shall designate.

(c) Assume the office of President the following year or as outlined in paragraph j(4).

(d) Serve on the Faculty Staff Budget Committee as ex-officio member.

(e) Serve on the UI Shared Governance Council.

(f) Serve as an advisor to each Organizational Unit regarding the selection of a Council representative through a shared governance process.

(g) Term: 1 year.

(3) The Secretary shall:

(a) Be responsible for minutes of the Council and all Executive Committee meetings.

(b) Be responsible for the Council meeting attendance roster.

(c) Conduct correspondence, as necessary.

(d) Serve on the UI Shared Governance Council.

(e) Serve on the Faculty Staff Budget Committee as ex-officio member.

(f) Term: 1 year.

(4) The Past President shall:

(a) Serve on the Faculty Staff Budget Committee as ex-officio member.

(b) Appoint a staff designee from the Faculty Staff Budget Committee to serve as Staff Co-Chair.

(c) Serve on the UI Shared Governance Council as an ex-officio member.

(d) Participate on the Awards Selection Committee for the Staff Council sponsored awards.

(e) Term: 1 Year.

(5) The Budget Officer shall:

(a) Prepare an annual office budget for approval by the Executive Committee.

(b) Prepare an annual overview of Staff Council budgetary information.

(c) Serve on the UI Shared Governance Council.

(d) Serve on the Faculty Staff Budget Committee as ex-officio member.

(e) Term: 2 years.

l. Executive Committee [Article XII].

(1) Voting members shall include the President, Vice President/President Elect, Past President, Secretary, Budget Officer and four other members elected at the last meeting of the operational year.

(2) The Executive Committee is charged to formulate goals and direction for Council activities and advises and assists the officers of the Council in carrying out the responsibilities of their office.

(3) Nominations for non-officer Executive Committee positions shall be made at the next to last and the last meeting of the operational year. Voting for these Executive Committee positions shall take place at the last meeting of the operational year, at the same time in which officers are elected as stated in paragraph j.

(4) The term of office for elected, at-large, Executive Committee members shall be one year. At-large members elected to the Executive Committee for 2 consecutive years, must remain off the Executive Committee for one year. This does not apply to Officers of the Council.

(5) There shall be no restriction as to length of Council membership to be eligible for Executive Committee.

(6) Minutes from all Executive Committee meetings will be distributed to the Councilors.

(7) Executive Committee meetings are called and chaired by the Council President not less frequently than every 2 months.

(8) Vacancies on the Executive Committee shall be filled as stated in paragraph o.

m. Meetings [Article XIII].

(1) Meetings shall be held monthly except August.

(2) The meetings of the Council shall be open to the public. Executive sessions may be held by majority vote of the Council. In executive sessions, attendance is limited to members of the Council, the President of the University or a personal representative designated by the President of the University, Vice President of Finance and Operations of the University, Director of Human Resources and Senior Associate Director of Human Resources of the University and/or a personal representative designated by this person, and/or other persons approved by a majority vote of the Council. Some portion of each regular meeting must be open. A report of each executive session must be made in the next open meeting.

(3) Special meetings may be called by the President.

(4) The Council office should be notified of all absences from meetings.

(5) Council members missing more than 3 of the regularly scheduled meetings during the year may be sent a letter reminding them of their obligations to represent their constituents on the Council. Council members missing 5 or more of the regularly scheduled meetings during the year shall be subject to replacement upon the recommendation of the Executive Committee. The Secretary shall notify the President of a Council member missing three meetings, and shall notify the Executive Committee of a Council member missing five meetings.

n. Quorum/Voting [Article XIV].

(1) In order to transact business that requires a vote, a quorum of simple majority of the Council members must be present.

(2) To carry a motion, affirmative votes must be cast by one more than one half of those voting except as stipulated in paragraph s.

(3) All voting in meetings of the body of the whole will be done by voice, by hand, by paper ballot or by electronic ballot. If the vote is an election, it must be performed by secret ballot.

o. Vacancies [Article XV].

(1) In the event of a Job Function Category representative or Executive Committee member vacancy during the year, the Elections Committee will use the current term's election results from which to select the next member by order of votes received. If nominees are not available from the immediately preceding ballot, the Elections Committee will solicit nominations from the floor at the first available Council meeting and forward 2 names to the Executive Committee. The Executive Committee will then be responsible to complete final selection of a new member to serve the remainder of the vacant term. If a vacancy occurs within 4 months of the beginning of the next operational year, the Elections Committee will fill the vacancy using the upcoming election results and begin with the new operational year term.

(2) In the event of an Organizational Unit Category representative vacancy during the year, the Organizational Unit Category's shared governance process will determine selection of the new representative and communicate according to paragraph h.

p. Staff Council committees [Article XVI]. Council members are expected to actively serve on at least one ad hoc committee, standing committee, external committee, or the Executive Committee. The Goals Committee shall appoint Council and non-Council staff members to the standing committees. The Executive Committee shall designate a chairperson for each standing committee. At the discretion of the chair, committee members may be removed from the committee for non-attendance.

The standing committees and their respective charge(s) shall be:

(1) Awards Committee.

(a) Purpose: To recognize and reward staff for exemplary service to the University and/or to the community.

(b) Scope of Concern:

(i) Administer and manage awards that recognize staff contributions, including:

(A) David J. Skorton Staff Excellence Award for Public Service

(B) UI Outstanding Staff Award

(C) Board of Regents Staff Excellence Award.

(ii) Call for nominations for the awards in the spring of each year.

(iii) Review submissions in terms of requirements.

(iv) Convene a Selections Committee to evaluate and determine the awards for nominated staff, to include Council Past President and Council Awards Committee chair(s).

(v) Arrange a reception for all nominees and their nominator(s).

(vi) Notify recipients and other nominees.

(vii) Notify Council, Office of the President, University organizations, Office of Strategic Communication, and other appropriate media.

(viii) Report activities to the Council.

(c) Membership: 3–4 councilors.

(2) Bylaws Committee:

(a) Purpose: To review and make recommendations regarding bylaws and associated policies and procedures.

(b) Scope of Concern:

(i) Review bylaws and recommend amendments that are appropriate and consistent with current bylaws, with support from concerned constituency.

(ii) Send approved bylaw changes to be incorporated into the *Operations Manual*.

(iii) Serve as the conduit for Council policies and procedures to be reviewed annually for updates.

(iv) Act as parliamentary advisory in order to maintain productive Council meetings.

(c) Membership:

(i) Members: No restriction on the number of members.

(ii) Open to: Current Council members. If available a non-Council member may be included to act as an expert or advisor on bylaws.

(iii) Term: 1 year.

(3) Committee on Committees:

(a) Purpose: To solicit and recommend the best qualified candidates to represent staff on the University of Iowa charter, non-charter committees and other standing committees. To find and recommend replacements for the various committees as unscheduled openings occur. Candidates' eligibility for each University committee is governed by I-2.8(6) with charter and non-charter committee policies.

(b) Scope of Concern:

(i) Act as liaison with staff members serving on University charter committees and non-chartered committees.

(ii) Report charter and non-charter committee issues of interest to the Council.

(iii) Provide Council view to charter and non-charter committee members as needed.

(c) Membership: There is no requirement or term for membership on this committee.

(4) Communications Committee:

(a) Purpose: To develop a standardized primary means of communication via web technology for use by councilors, represented staff, and others interested in the activities of the Council.

(b) Scope of Concern:

(i) Create an informational, interactive venue for Councilors and the University community.

(ii) Maintain up-to-date information on the Council website regarding Council business and other campus and off-campus opportunities.

(iii) Collaborate with the Executive Committee and other Council committees to ensure Council information is current and readily available.

(c) Membership:

(i) While there is no restriction on membership, at least 2 Council officers should be a member of the committee.

(ii) Open to: All councilors. A non-staff council member with webmaster expertise may be appointed by the Council President or Committee chair.

(iii) Term: 1 year.

(5) Diversity Committee:

(a) Purpose: To promote diversity awareness and recommend ways to increase diversity and inclusion of all staff on campus in conjunction with University of Iowa Core Values, Institutional Goal 5, which strives for a "culturally diverse and inclusive University campus."

(b) Scope of Concern:

(i) Develop and encourage staff participation in programs to promote diversity awareness, including the annual Staff Council Martin Luther King Celebration and the UI Celebrating Cultural Diversity Festival.

(ii) Actively solicit information from and interact with the various diversity groups on campus and in the community in support of their goals as well as jointly sponsoring events/programs.

(iii) Disseminate information to Council and staff concerning diversity programs/current activities and seek support from Council for promotion of these programs.

(iv) Request annual updates from the University on the progress made toward increasing diversity and inclusion of staff on campus.

(c) Membership:

(i) There is no requirement or term for membership on this committee.

(ii) Open to all Councilors and a representative from each diversity committee on campus.

(6) Education Committee:

(a) Purpose: To promote awareness on campus of existing professional development opportunities. To explore options for further educational opportunities and to make recommendations to the Council for making those educational opportunities available to the Staff.

(b) Scope of Concern:

(i) Organize and present Council information to new staff members at monthly faculty/staff orientations.

(ii) Works closely with The University of Iowa Learning and Development Office to provide staff with professional development opportunities.

(c) Membership:

(i) Members: The committee consists of a minimum of 4 Council members.

(ii) Open to: Current Council members.

(iii) Term: 1 year.

(7) Elections Committee:

(a) Purpose: To solicit candidates for vacant seats on the Council, Council office of President, Vice President/President Elect, Secretary, and Budget Officer, and Executive Committee. To carry out elections in accordance with the Council bylaws.

(b) Scope of Concern: Refer to paragraphs c, f, g, h, j, l, n, and o.

(c) Membership:

(i) Members: 3–5 Council members.

(ii) Open to: Current Council members not seeking reelection.

(iii) Term: 1 year.

(8) Goals Committee:

(a) Purpose: To review goals and timetables of standing committees. The Goals Committee will meet at the beginning of each academic year and as determined by the President.

(b) Scope of Concern:

(i) Appoint members to ad hoc, external, or standing committees each year.

(ii) Determine specific yearly goals of the Council.

(c) Membership: The Committee consists of all standing committee chairs and the Council Officers. The Council President serves as Goals committee chair.

(9) Human Resources Committee:

(a) Purpose: To review University of Iowa policies and procedures central to human resource needs and concerns of Professional and Scientific and Merit Supervisory Exempt/Confidential staff in order that it may advise Central Administration in these matters.

(b) Scope of Concern: The Committee may consider and make recommendations to any human resource policy or practice including but not limited to the following:

(i) Furlough, temporary status,

(ii) Retraining, professional development, recognition,

(iii) Reallocation of staff due to organizational change,

(iv) Job reclassification and review,

(v) Workplace safety,

(vi) Compensation,

(vii) Performance appraisals,

(viii) Staff benefits,

(ix) Compliance and regulation issues.

(c) Membership:

(i) Members: The number of members is at the discretion of the Council. The chair and vice-chair of the committee will be members of the Council. At least 3 members of the committee will be non-council members and the majority of the committee members will be Council members. Non-council members should have firsthand experience in working with human resource issues of concern to Professional and Scientific and Merit Supervisory Exempt/Confidential staff.

(ii) Open to: Current Council members. Administrative liaisons and/or their representatives with human resource interests are invited to attend as appropriate and with the Committee's approval.

(iii) Term: Committee membership is a 2-year term with a maximum of 3 back-to-back terms.

(10) Merit Supervisory Exempt/Confidential Committee:

(a) Purpose: To develop, review, facilitate discussion and make recommendations concerning issues of Merit Supervisory Exempt/Confidential (MSE/C) Staff.

(b) Scope of Concern: The issues that may be addressed include but are not limited to the following as they apply to MSE/C personnel:

(i) Review policies and practices relative to MSE/C colleagues.

(ii) Foster inclusion of MSE/C Staff on all recommendations from Council.

(iii) Meet with MSE/C constituents at least twice per year.

(iv) Communicate MSE/C information to constituents as appropriate via listserve.

(v) Meet with UI administrators and other representatives as appropriate to represent MSE/C staff on issues.

(vi) Represent The University of Iowa MSE/C membership on the Regents Inter-institutional Supervisory and Confidential Advisory Council (RISCAC) which represents non-bargaining Merit Staff of The University of Iowa, Iowa State University, University of Northern Iowa, Iowa School for the Deaf, and Iowa Braille and Sight Saving School.

(c) Membership:

(i) Members: Committee consists of all MSE/C staff on Council and at least 1 non-MSE/C Council member.

(ii) Open to: Current Council members.

(iii) Term: Length of Council term for MSE/C members and 1 year for non-MSE/C Council members.

(11) University/Governmental Relations Committee:

(a) Purpose: To foster communication of the Council activities to the University, while also promoting good relationships between the University and local, state, and national governments.

(b) Scope of Concern: Works to foster good relationships among local, state, and national officials and the University, alone and in conjunction with Faculty Senate's Governmental Relations Committee.

(c) Membership:

(i) Members: No restrictions; however at least 1 member of the Executive Committee should be a member of the committee.

(ii) Open to: All Councilors.

(iii) Term: 1 year.

q. Parliamentary Authority [Article XVII]. The parliamentary authority of the Council shall be *Robert's Rules of Order Newly Revised*. This authority shall govern all procedures in the Council except where it conflicts with any special rules of order adopted in these bylaws.

r. Policies and Procedures Manual [Article XVIII]. There shall be a Policies and Procedures Manual. Inclusion/revision/deletion of policies and procedures will be brought to the Bylaws Committee which will be submitted to Executive Committee for recommendation.

s. Amendments [Article XIX]. These bylaws may be amended at the regular monthly meeting of the Council by a two-thirds vote of those present, provided that the amendment has been introduced to the Council at the previous regular meeting.

Footnotes

[1] Council representation structure was accepted on March 9, 2011. Between April 1, 2011, and April 1, 2014, there will be a transition period whereby members elected under the

previous four-category system will be placed in their Job Function Categories. Membership might exceed 55 during this period, whereby it is possible for the number of councilors in a Job Function to exceed the number of councilors needed to represent the given category. Initiated by the Elections Committee and approved by the Executive Committee, currently elected councilors may temporarily fill an Organizational Unit Category vacancy or may remain as an additional Job Function representative until their elected term expires. Once an Organizational Unit Category elects a councilor, councilor placement by the Elections Committee for that given category will not be an option.

[2] During the transitional period of April 1, 2011, to April 1, 2014, the Elections Committee will consult with the Organizational Shared Governance Committees regarding their election processes.

2.8(4) The Graduate Council

(Amended 09/1993; 02/1999; 05/2000)

a. Membership. The Graduate Council consists of the deans of the Graduate College as ex officio nonvoting members, 13 members elected from the graduate faculty, and 4 graduate students chosen by the Graduate Student Senate for 1-year terms.

   Faculty representation on the Graduate Council shall consist of 11 collegiate representatives and 2 at-large representatives. One collegiate representative shall be elected by the graduate faculty of each of the colleges of Business Administration, Dentistry, Education, Engineering, Medicine, Nursing, Pharmacy, and Public Health. Three collegiate representatives shall be elected by the graduate faculty of the College of Liberal Arts and Sciences. The 2 at-large representatives shall be elected by the graduate faculty as a whole.

b. Duties of the Council.

   (1) To serve as the executive committee of the graduate faculty.

   (2) To assist and advise the Dean in the conduct of College business, including preparation of agendas, calling of emergency meetings, and determination of the status of a staff member where doubt exists as to his or her eligibility for membership in the graduate faculty.

   (3) To evaluate new graduate programs and revisions in existing programs, including non-departmental and interdisciplinary programs, and to make recommendations to the graduate faculty on new programs and on such aspects of curricula as will maintain uniform and effective educational policy.

   (4) To supervise the codification of current rules and regulations of the graduate faculty.

   (5) To assist the Dean, upon request, in the formulation of administrative decisions or judgments.

   (6) To confer with the Dean on matters of policy regarding the professional welfare of the graduate faculty.

c. Term of Office for Faculty Members. Council members are elected to serve for a term of 3 years, and take office at the opening of the fall semester following election.

d. Officers. The Dean of the Graduate College and the Associate Dean of the Graduate College act respectively as chair and secretary of the Council.

e. Executive Committee. The Graduate Council selects from among its elected membership 3 members for an executive committee whose major function is to consult with the Dean of the Graduate College on procedural issues which do not require the decision of the full Council.

f. Election Procedure.

   (1) Eligibility. All members of the graduate faculty are eligible for membership on the Graduate Council, except for the President, vice presidents, and deans. Associate and assistant deans and directors who are substantially engaged in teaching and research are eligible. A member who has served for 2 or more years may not succeed himself or herself.

   (2) Elections of Collegiate Representatives. In the spring of a year in which the term of a collegiate representative is to expire, an election will be held by the graduate faculty within that college to elect a successor. Such elections must occur at least 6 weeks prior to the election of at-large representatives as described below.

   (3) Elections of At-Large Representatives. To elect at-large representatives, the Graduate Council shall appoint from the graduate faculty an ad hoc nominating committee of 5 members which shall nominate 3 candidates for any at-large vacancy. Results of elections for collegiate representatives will be taken into consideration by the nominating committee.

   Ballots bearing the names of the at-large nominees shall be distributed by the registrar to members of the graduate faculty. Each faculty member shall return their marked ballot to the registrar. The envelope, but not the ballot, shall be signed by the voter.

   The nominees receiving the highest number of votes shall be declared elected to regular terms. The nominees receiving the next highest votes shall, in order, fill any irregular terms resulting, for example, from leaves or resignations of an at-large representative.

   In case of a tie, a Board of Tellers composed of 3 members of the council appointed by the dean shall determine the choice by lot.

   (4) Vacancies. Procedures for filling vacancies of collegiate representatives for the remainder of the term shall be established by each of the colleges. In the case of a vacancy of an at-large council representative, the Graduate Dean shall appoint the faculty member receiving the next highest vote in the last at-large election to serve the remainder of the unexpired term.

   (5) Election Date. The date for the election of at-large members of the Graduate Council corresponds to the date for elections to the University Faculty Council.

2.8(5) Student Governments at The University of Iowa

(Amended 9/93; 10/95; 4/07; 7/14)

Two co-equal student governments exist and derive authority from students at The University of Iowa. The University of Iowa Student Government (UISG) represents and derives authority from the undergraduate student body. The Graduate and Professional Student Government (GPSG) represents and derives its authority from the graduate and professional student body.

Both UISG and GPSG shall participate in shared governance at The University of Iowa. UISG and GPSG shall collaborate with the other shared governance organizations on campus, notably the Faculty Senate and the Staff Council.

Each government is established, structured, and governed by separate procedures. The University of Iowa Student Government is governed by its constitution and the Graduate and Professional Student Government is governed by its charter. Both the UISG Constitution and the GPSG Charter explain an amendment process.

GPSG and UISG share jurisdiction over several areas of joint interest. These areas include: the University of Iowa Student Judicial Court, Joint Finance Committee, Nominations Committee, and Lecture Committee Selection Committee. GPSG and UISG recognize that each of the joint committees must be governed by separate bylaws that identify the scope of work and processes of those committees. GPSG and UISG may amend said bylaws by passing concurrent legislation.

Provisions describing the committees over which UISG and GPSG share jurisdiction must be placed in the primary governing document of each respective student government.

GPSG and UISG shall appoint 3 undergraduate and 2 graduate/professional student representatives to the Student Activity Fee Committee. The Student Activity Fee Committee, in accordance with *Iowa Code* 262.34B and Board of Regents policy (BRPM 1.6I), makes Student Activity Fee allocation recommendations to the University president.

2.8(6) General Charter for University Committees

(President 03/18/1974; Amended 03/1975; 01/1977; 06/1985; 06/1993; 07/2013; 7/1/17)

a. General Purpose and Method of Operation. University charter committees are established, modified, and disestablished by the collective action of the following 3 organizations, namely, The University of Iowa Student Government, the Staff Council, and the Faculty Senate (herein called "assemblies"), and by the President of The University of Iowa or designee.

   The organization, purpose, and charge of University charter committees are subject to the authority of the Board of Regents, State of Iowa, and the President of The University of Iowa.

   Charter committees are established in an effort to assure that University-wide services and activities will be carried out in the best interests of education and society. The membership of University charter committees is generally composed of faculty, staff members, and students in varying proportions according to the committee's primary interest. Charter committees are designed to be small working groups. Unless special circumstances dictate, they shall not exceed 11 appointed, voting members. Their general responsibility is twofold: 1) to recommend and to advise on the formulation of University policy, and 2) to assist in the interpretation of University policies to their respective constituencies.

   The composition of each charter committee, the activities of concern to it, and the specific charges to it are set forth in specific charters which follow this General Charter.

b. Scope of Concern. Within the area to which it is assigned by its specific charter, each University charter committee may recommend University policy and advises on the following matters: 1) formulation of basic policy and objectives; 2) development of plans and programs including financing; 3) development of operations, procedures, rules, and regulations; 4) response to suggestions and inquiries from all persons interested in the University; 5) solicitation of expert opinion and information from any sector of the University when it appears that such opinion and information will help the committee in its advisory capacity; and 6) other matters of mutual interest and concern as they arise. University charter committees are privileged, as are the assemblies and constituencies which the committees represent, to take a position on any question concerning the relation between the area of their immediate concern and the overall welfare of the University. The position taken will be deemed that of the charter committee and not necessarily that of the three assemblies or their constituencies. Upon its request, the charter committee will have access to all relevant public information as defined in Chapter 22 of the *Iowa Code*.

c. Authority. Each University charter committee acts only in an advisory capacity within the area assigned to it. Committee recommendations are not binding on the administration. On the other hand, it is expected that the views of the committees will have an important influence on policies and procedures in their areas of concern. Administrators remain responsible to and accountable to the President of the University. Members of the charter committees, on the other hand, should report to and seek the views of the assemblies which have nominated them. Furthermore, it is expected that when administrative officers of the University seek the opinion of students, faculty, or staff, they will use, among other sources of information and advice, the services of the appropriate charter committee. Each assembly, of course, may maintain its own internal committee system. Similarly, the President of the University shall be able to establish committees as deemed necessary by the President.

d. Appointment Procedures.

   (1) Qualifications for Members.

      (a) Appointments of committee members by each assembly are to be made in accordance with the procedures adopted by that assembly. Appointments must meet the committee membership requirements of the general charter and of the specific charter for the committee concerned. Appointments must be consistent with the University's affirmative action policy. All such appointments shall be confirmed by the President of the University or designee, who will also make committee appointments if specifically mandated by the charter of a specific committee.

      (b) Appointees of The University of Iowa Student Government shall be persons who are currently registered as full-time students at the University in an undergraduate, graduate, or professional program on campus.

      (c) Appointees of the Faculty Senate shall be persons who are eligible to be members of the Faculty Senate (I-2.8(1)).

      (d) For purposes of membership on charter committees, appointees of the Staff Council shall be permanent employees of the University, either full or part time, who are covered by the Board of Regents Merit system, or who are classified primarily as Professional and Scientific Staff.

   (2) Annual Term of Charter Committees. Each charter committee shall have an annual term running from September 1 of each year to the following August 31.

   (3) Term of Members. The term of appointment for each member of a charter committee shall be fixed by the assembly appointing that member except that no appointment shall be for a term longer than 3 years. Reappointments are possible. However, no person may serve more than 6 consecutive years on a charter committee, except as specified by specific committee charters. Terms of newly appointed and reappointed committee members will begin on September 1 and terms of retiring committee members will expire on August 31. When appointments are made for more than 1 year to a new charter committee, initial appointments from each assembly are to be staggered terms, that is, for 1, 2, or 3 years.

   (4) Time of Appointment. To the extent possible, appointments and reappointments are to be made on or before May 15 of each year so that all new and continuing members of the charter committee will be appointed before the committee's first meeting of its next term, commencing on the following September 1.

   (5) Selection of Chairperson(s). On or before August 31 of each year, the chairperson and, where applicable, the co-chair of each charter committee will be appointed from among those members of the committee for the next annual term by the President of the University or designee after consultation with the presidents of the 3

assemblies.

e. Resignation and Replacement. In the event a duly appointed member wishes to resign, the member should notify the president of the appropriate assembly and the President of The University of Iowa or designee. The president of the relevant assembly shall forward the name of any new appointee to the President of the University or designee, who will confirm the appointment if it is consistent with (d)(1) above. If qualified, the person so designated will be appointed to complete the full term of the person who resigned. The President of the University or designee shall send written notice of the appointment to the chairperson(s) of the charter committee to which the person has been appointed, to the presidents of all three assemblies, and, in the case of staff, to the appointee's immediate supervisor.

f. Removal. A committee member appointed from an assembly may be removed by the president of the assembly if he or she is absent from at least three consecutive committee meetings or for other good cause. If the committee chair believes that there are grounds for removal, he or she shall notify the affected committee member and the president of the relevant assembly. If the president of the assembly believes removal would be appropriate, the member will be notified that the committee seat has been declared vacant, and a new member will be appointed to the committee by the appropriate assembly in accordance with its procedures.

g. Notification Procedures for Appointees and Reappointees; Designation of Administrative Officer to Serve as Liaison with Charter Committees. After charter committee members are appointed and confirmed, the President of the University or designee shall give written notice of full committee membership to the presidents of the 3 assemblies, who will then be responsible for notifying new appointees and reappointees from that constituency of their appointment. The President of the University or designee shall also distribute a consolidated membership list of all charter committees under their oversight to the presidents of the 3 assemblies, to the current chairperson of each charter committee, to each administrator who is a liaison to a charter committee, to the Office of Strategic Communication, and to other centers of communication as appropriate.

In addition, it is expected that on or before September 1 of each year the President of the University or designee will designate one or more administrators, consistent with the terms of any specific charter, who will work with the charter committees during the following year. The list of administrators who are the liaisons to the charter committees will be sent to the committee in time to permit each committee to hold its first meeting of its annual term with the administrators in attendance.

h. First Meeting of Annual Term.

(1) Time of meeting. The first regular meeting of the annual term for each charter committee shall be held on or before October 1 in each annual term.

(2) Election of Secretary. At this meeting, the general and specific charges to the committee will be explained to the new members, current committee activities will be reviewed, and a secretary for the annual term will be nominated and elected by the committee.

i. Regular and Special Meetings.

(1) Frequency: Each charter committee is to hold a minimum of 2 regular meetings during each fall and spring semester falling within the annual term.

(2) Call: Meetings may be called from time to time by the chairperson(s) as business arises. The chairperson(s) shall call a meeting upon petition by one-third of the committee members or upon the request of the administrators assigned to work with the committee.

(3) Notice: Notice of each meeting shall be provided to all committee members, to the administrators designated as liaisons to the committee, to others having business with the committee, to the presidents of the three assemblies and, at the discretion of the committee, to the IMU Campus Information Center for inclusion in the master calendar.

(4) Floor Privilege: Meetings of the charter committees shall be opened to the public and media except when the committee deems it appropriate to meet in executive session. Committee members and the designated administrators (or their representatives) have the right and privilege of the floor at all times; this right may be extended to other persons by majority vote of the committee.

(5) Voting Privilege: Voting privileges are limited to members of the committee. A roll-call record of split votes is to be kept in the minutes when requested by a member of the committee.

(6) Quorum Requirements: A quorum consists of at least one-half of the committee's members. If proceedings are under way to replace a committee member (see paragraph f above) and neither the member facing removal nor an officially appointed successor is able to attend a committee meeting, the seat shall be considered vacant for quorum purposes.

(7) Conduct of Business: Committee deliberations generally should be conducted in accordance with *Robert's Rules of Order, Newly Revised*, which makes due allowance for the informality appropriate to small working groups. The committee shall follow a prepared agenda. The procedures outlined in this section do not interfere with the prerogative and responsibility of members of the committee to communicate with their several assemblies frequently and informally or to refer a disputed issue to the assembly for broader debate.

(8) Minutes: Minutes from each committee meeting are to be sent to all members of the committee, to the designated administrators who are liaisons to the committee, to the presidents of the 3 assemblies, to the President of the University or designee, and to other persons in the University or to such campus and community media as may be appropriate. At minimum, the minutes should reflect any resolutions or other recommendations or motions of the committee and be fairly reflective of the committee's discussion.

j. Files. All files and copies of the minutes of the committee shall be kept by the administrator who is the liaison to the committee. The chairperson(s) and secretary may maintain such files as they deem appropriate. Files of the chairperson(s) and the secretary should be sent to their immediate successors in office, or to the administrator who is liaison to the committee.

At convenient times, as files relating to any charter committee accumulate in the Office of the President of the University or designee or in the files of any of the assemblies, administrators, chairpersons, or secretaries and are no longer needed by others for current reference, they shall be transferred to University Archives. At that time, the presidents of the 3 assemblies may deal with their copies of committee records in accordance with any University records retention policy then in effect.

k. General Charge to Charter Committees.

(1) Each committee shall concern itself with the matters listed in I-2.8(6)b as these matters apply to the area assigned to the committee.

(2) In terms consonant with I-2.8(6)a and I-2.8(6)c, the committee should at all times seek to advise the administration and to inform the three assemblies of matters of concern. Except as may be provided in the specific charters, there are no ex officio members of charter committees.

(3) When requested by the President of the University or designee, and without prejudicing the role played by the Faculty Senate Committee on the Selection of Central Academic Officials, each charter committee shall be available to advise the President of the University or designee: 1) on the methods of reviewing the

functions which come within the scope of the committee's advisory role, 2) concerning the criteria for appointment of new University-wide administrators, some of whose functions come within the scope of the committee's advisory role, and 3) on the selection of such administrators.

(4) Each outgoing committee shall prepare in time for the first regular meeting of the incoming committee in the next annual term a brief report summarizing committee activities for the past year and identifying current issues and future questions to the extent such information is not available from the committee's minutes. Any annual report is to be distributed in the same manner as the committee's minutes.

(5) Committee members shall neither expect nor accept by reason of their service on any committee any gratuities, rewards, or perquisites, including tickets. Preferential treatment shall not be given to any committee member by virtue of service on the committee.

l. Establishment and Modification of Charter Committees. At least once every 3 years the presidents of the 3 assemblies and the President of the University or designee shall review the committee structure to determine whether charter committees should be established or modified. Before making a final decision, they shall seek the advice of the appropriate constituencies in this review process. To establish or modify a charter committee requires the approval of the 3 assemblies and the President of the University or designee.

m. Duration of the General Charter. The General charter shall be formally reviewed by the President of the University or designee and by the presidents of the 3 assemblies at least once every 6 years and continued if agreed to by them. It can also be amended at any time by unanimous agreement of these officers.

2.8(7) Information Technology Advisory Committee Charter

(Amended 5/07; 6/09; 7/13)

a. Membership. Confirmed by the Executive Vice President and Provost:

(1) Seven members appointed by the governing body of the faculty, currently the Faculty Senate;

(2) Two members appointed by the governing body of the students, currently for the purposes of this committee, the joint nominations committee of the UISG and GPSG;

(3) Two members appointed by the governing body of the staff, currently the Staff Council.

(4) Committee is chaired by a faculty member; chair selection is made by the president of the Faculty Senate.

b. Charge to the Committee.

(1) The Committee shall be governed by the terms of the General Charter.

(2) In addition, the Committee shall:

(a) Advise on the present and future needs of faculty, staff, and students for computing services and formulate recommendations for meeting these needs and for maintaining a proper balance among all academic computer needs and services in the University;

(b) Provide a forum to which faculty, staff, and students may refer questions and recommendations concerning University computer policies, services, and development;

(c) Advise in the development of general policies concerning the University's acceptance of computer funds from sources external to the University and the University's provision of computer services to users external to the University;

(d) Advise on procedures for proposals by faculty, staff, and students for funds to support computing of an extraordinary and innovative nature;

(e) Review from time to time the activities and recommendations made by working committees established by the designated administrative officer. (These working committees may be established for the purpose of advising the officer on specific administrative questions concerning the operation, development, and utilization of computer resources for teaching and research.)

c. Guideline. In selecting and appointing members, it is advisable to choose those who have demonstrated computer competence appropriate to their academic computer involvements.

(See also the Information Technology Advisory Committee website.)

2.8(8) Campus Planning Committee Charter

(Amended 5/07; 6/09; 7/13)

a. Membership. Confirmed by the President of the University (with administrative responsibility for membership and chair appointments handled by the Senior Vice President for Finance and Operations):

(1) Five members appointed by the governing body of the faculty, currently the Faculty Senate;

(2) Three members appointed by the governing body of the students, currently for the purposes of this committee, the joint nominations committee of the UISG and GPSG;

(3) Three members appointed by the governing body of the staff, currently the Staff Council.

(4) Committee is chaired by a faculty member; chair selection is made by the president of the Faculty Senate.

b. Charge to the Committee.

(1) The Committee shall be governed by the terms of the General Charter.

(2) In addition, the Committee shall:

(a) Advise on the establishment of general policies for the orderly, efficient, and attractive development of the University's physical campus and facilities, giving particular attention to aesthetic and ecological considerations;

(b) Advise on proposals for major development or building projects and proposals for major revisions in ongoing projects, giving consideration to compatibility with existing standards and policies and site selection;

(c) Advise on policies of space allocation and utilization, major modification or reallocations of existing facilities, and the responses to development proposals of all affected elements of the University.

(See also the Campus Planning Committee website.)

2.8(9) Council on Teaching Charter

(President 5/76; Amended 9/93; 3/97; 3/06; 5/07; 6/09; 7/13; 12/14)

a. Membership. Confirmed by the Executive Vice President and Provost:

(1) Nine members, which must include one lecturer, appointed by the governing body of the faculty, currently the Faculty Senate;

(2) Four members appointed by the governing body of the students, currently for the purposes of this committee, the joint nominations committee of the UISG and GPSG;

(3) One member appointed by the governing body of the staff, currently the Staff Council.

(4) Director of the Center for Teaching (ex-officio).

(5) Committee is chaired by a faculty member; chair selection is made by the president of the Faculty Senate.

b. Charge to the Council.

(1) The Council shall be governed by the terms of the General Charter.

(2) In addition, the Council shall:

(a) Provide a forum for discussion of present and future needs in the area of teaching and recommend programs for meeting these needs;

(b) Seek, evaluate, select candidates, and establish guidelines for University-wide teaching awards, including but not limited to: Outstanding Teaching Assistant Awards, the President and Provost Award for Teaching Excellence, Instructional Improvement Awards. Similarly, seek, evaluate, and select candidates for extra-University teaching awards, including U.S. Professor of the Year.

(c) Advise on development of proposals for outside funding to support curricular development, equipment for teaching, and any other proposals related to the teaching and learning effort of the University;

(d) Advise with respect to the policies, priorities, and procedures on:

(i) evaluation of teaching and learning, including codes of teaching responsibilities;

(ii) University-wide experimental or nontraditional education programs;

(iii) the method, time, and efficiency of registration;

(iv) the conduct of convocations and commencements; and

(v) the University calendar.

(e) Serve in an advisory and oversight capacity for the Center for Teaching.

c. Guidelines. In selecting and appointing members, it is advisable to choose those who have demonstrated an interest and proficiency in the teaching function of the University. Faculty members should be appointed in such a manner that at all times 4 shall be from the various professional colleges of the University, and 4 shall be from Liberal Arts and Sciences. The one from Liberal Arts and Sciences shall be appointed in such a manner that at all times one shall be related to the disciplines in Group I, one in Group II, one in Group III, and one at-large. These are the groupings used for voting purposes in the College.

(See also the Council on Teaching website.)

2.8(10) Hancher Auditorium Committee Charter

(Amended 5/07; 1/09; 6/09; 7/13)

a. Membership. Confirmed by the Vice President for External Relations:

(1) Three members appointed by the governing body of the faculty, currently the Faculty Senate;

(2) Six members appointed by the governing body of the students, currently for the purposes of this committee, the joint nominations committee of the UISG and GPSG;

(3) Three members appointed by the governing body of the staff, currently the Staff Council.

(4) Committee is co-chaired by a staff member and a student; chair selections are made by the president of Staff Council and the joint nominations committee of the UISG and GPSG, respectively.

b. Charge to the Committee.

(1) The Committee shall be governed by the terms of the General Charter.

(2) In addition, the Committee shall:

(a) Advise the Directors in formulating and reviewing general policies for events presented to the University community and others;

(b) Provide feedback as requested on annual schedule of music, theater, dance, and the other performing arts; provide suggestions as requested on methods to increase revenue and audience;

(c) Advise on the public reaction to the cultural and entertainment programs offered at Hancher Auditorium, the educational aspect of these programs, the promotional techniques supporting them, and the financial success of the various series and individual programs;

(d) Promote and advocate for support of Hancher's programming and contributions to the University and Iowa communities.

c. Guideline. Persons recommended for appointment to the Hancher Auditorium Committee should be members of the University community who have demonstrated an awareness of and interest in the performing arts.

2.8(11) Committee on Funded Retirement and Insurance Charter

(Amended 1/99; 5/07; 7/13)

a. Membership. Confirmed by the President of the University (with administrative responsibility for membership and chair appointments handled by the Chief Human Resources Officer):

(1) Seven members appointed by the governing body of the faculty, currently the Faculty Senate;

(2) Seven members appointed by the governing body of the staff, currently the Staff Council.

(3) Committee is co-chaired by a faculty member and a staff member; chair selections are made by the president of the Faculty Senate and president of Staff Council respectively.

b. Term of Membership. Members may be appointed for terms of up to 3 years. The general guideline against reappointment for more than 2 terms of 3 years each (see I-2.8(6)d(3)) shall not apply to this committee.

c. Charge to the Committee.

(1) The Committee shall be governed by the terms of the General Charter.

(2) In addition, the Committee shall:

(a) Suggest and review faculty and staff retirement programs, insurance programs, medical and health programs, and "fringe benefits" for University employees;

(b) Represent the faculty and staff in discussion and negotiation with vendors of insurance as these are carried forward by responsible officers of the administration.

(See also the Committee on Funded Retirement and Insurance website.)

2.8(12) (Reserved for future use)

2.8(13) Committee on Diversity Charter

(Amended 6/24/05; 5/07; 6/09; 7/13)

a. Charge. The Charter Committee on Diversity shall be governed by the terms of the General Charter with membership confirmed by the Chief Diversity Officer. In addition, the Committee shall:

(1) Advise on the formulation, review, and application of policies and guidelines that promote and support the full contributions of all of the University's diverse faculty, staff, and students.

(2) Consider and recommend actions that will help support and fulfill diversity-related commitments made by the University under the University of Iowa Strategic Plan and other University programs, plans, and policies.

(3) Provide a forum to which faculty, staff, and students may refer questions and recommendations concerning University diversity-related policies and procedures.

b. Membership.

(1) Four members appointed by the governing body of the faculty, currently the Faculty Senate;

(2) Four members appointed by the governing body of the staff, currently the Staff Council;

(3) Four members (2 undergraduates, 1 graduate student, and 1 student from the professional colleges) appointed by the governing body of the students, currently for purposes of this committee, the joint nominations committee of the UISG and GPSG;

(4) Administrative liaisons: one representative each from the Office of the Executive Vice President and Provost, Office of Equal Opportunity and Diversity, Office of the General Counsel, Office of the Vice President for Student Life, and Human Resources.

(5) Committee is co-chaired by a faculty member and a staff member; chair selections are made by the president of the Faculty Senate and the president of Staff Council respectively.

2.8(14) Committee on Lectures Charter

(Amended 5/07; 6/09; 7/13; 4/17)

a. Membership. Confirmed by the Vice President for Student Life:

(1) Three members appointed by the governing body of the faculty, currently the Faculty Senate;

(2) Ten members appointed by the governing body of the students, currently for the purposes of this committee, the joint nominations committee of the UISG and GPSG;

(3) One member appointed by the governing body of the staff, currently the Staff Council.

(4) Committee is chaired by a student; chair selection is made by the joint nominations committee of the UISG and GPSG.

b. Charge to the Committee.

(1) The Committee shall be governed by the terms of the General Charter.

(2) In addition, the Committee shall be responsible for:

(a) Selecting speakers for the University Lecture Series with the goal of presenting a balanced slate of speakers who will deal with topics of wide interest. Before making the selection, the Committee shall solicit and consider suggestions from all interested parties;

(b) Advising on and assisting in arrangements for lectures;

(c) Coordinating its activities with other appropriate programming groups on campus;

(d) Ensuring that the Regents Speakers Policy (BRPM 4.2) is adhered to in events under its jurisdiction.

(See also the Committee on Lectures website.)

2.8(15) Committee on University Libraries Charter

(Amended 12/96; 5/07; 3/09; 6/09; 7/13)

a. Membership. Confirmed by the Executive Vice President and Provost:

(1) Five members appointed by the governing body of the faculty, currently the Faculty Senate;

(2) Four members (2 undergraduates and 2 graduate students) appointed by the governing body of the students, currently for the purposes of this committee, the joint nominations committee of the UISG and GPSG;

(3) Two members appointed by the governing body of the staff, currently the Staff Council.

(4) Committee is chaired by a faculty member; chair selection is made by the president of the Faculty Senate.

b. Charge to the Committee.

(1) The Committee shall be governed by the terms of the General Charter.

(2) In addition, the Committee shall:

(a) Advise on policy regarding the growth of the resources and services the University Libraries provide;

(b) Advise on policies regarding the assignment of facilities within the libraries and the availability of services which render the libraries more useful to members of the University community and the public;

(c) Advise on the coordination of the branch libraries and their services and resources with those of the Main Library and the Hardin Library for the Health Sciences;

(d) Advise on the use and development of library facilities, including the Main Library, the branch libraries, and off-site storage.

c. Guidelines. Faculty members recommended for membership to the University Library Committee should be selected and appointed in such a way that at any one time one member of the faculty shall come from the biological sciences, 1 from the humanities, 1 from the physical sciences, 1 from the social sciences, and 1 shall be "at large" from any area or department of the University.

Student members recommended for membership should be selected and appointed in such a way that at any one time 2 members shall be undergraduate students and 2 shall be post-baccalaureate students.

The staff member should be a person who can speak for the staff's interest in and use of the University library facilities.

(See also the Committee on University Libraries website.)

2.8(16) Committee on Parking and Transportation Charter

(Amended 5/07; 6/09; 7/13)

a. Membership. Confirmed by the Senior Vice President for Finance and Operations:

(1) Three members appointed by the governing body of the faculty, currently the Faculty Senate;

(2) Four members appointed by the governing body of the students, currently for purposes of this committee, the joint nominations committee of the UISG and GPSG;

(3) Three members appointed by the governing body of the staff, currently the Staff Council.

(4) Committee is chaired by a staff member; chair selection is made by the president of Staff Council.

b. Charge to the Committee.

(1) The Committee shall be governed by the terms of the General Charter.

(2) In addition, the Committee shall:

(a) Advise on both short-term and long-term plans for handling on-campus automobile and motorcycle traffic, including flow, control, parking, and storage. Committee members shall consult the appropriate administrative officers and the Campus Planning Committee to inform themselves regarding land use, parking lot design, and landscaping as these considerations bear on campus parking and transportation policies;

(b) Advise on plans for campus bicycle traffic;

(c) Advise on plans for other modes of transportation, including Cambus;

(d) Advise on rules and regulations and fee schedules pertaining to all modes of campus parking and transportation, including priorities, registrations, and penalties for violations;

(e) Advise on procedure for handling appeals of fines arising from alleged violations of traffic or parking regulations;

(f) Advise in developing and reviewing plans for coordinating University transportation and facilities with those of city, county, state, and federal agencies.

(See also the Committee on Parking and Transportation website.)

2.8(17) Committee on Family Issues Charter

(Amended 9/93; 12/04; 5/07; 7/08; 6/09; 7/13; 10/15; 7/1/17)

a. Membership. Confirmed by the Chief Human Resources Officer:

(1) Three members appointed by the governing body of the faculty, currently the Faculty Senate;

(2) Three members appointed by the governing body of the students, currently for the purposes of this committee, the joint nominations committee of the UISG and GPSG;

(3) Four members appointed by the governing body of the staff, currently the Staff Council.

(4) Membership Considerations. Care should be taken to represent the views of the many University constituencies that have parenting concerns and family issues through the life span, including staff (both merit and professional and scientific), students (both graduate and undergraduate), and faculty (both tenured and non-tenured).

(5) Committee is chaired by a staff member; chair selection is made by the president of Staff Council.

b. Charge to the Committee.

(1) The Committee shall be governed by the terms of the General Charter.

(2) In addition, the Committee shall:

(a) Review and make recommendations about the development and implementation of programs, plans, and policies that promote a positive climate for families of faculty, staff, and students through the life span.

(b) Review and make recommendations about the implementation of University child or dependent care programs and plans.

c. Guidelines.

(1) In selecting and appointing members, it is advisable to choose those who have demonstrated an awareness of and interest in child care and family issues.

(2) Staff members should be appointed in such a manner that there shall be merit staff and professional and scientific staff.

(3) The Manager of the Family Services Office shall be a non-voting, ex officio member.

(4) Administrative Liaisons who are non-voting members represent the Offices of the Provost and Human Resources.

(View the Family Issues Charter Committee website at https://uiowa.edu/ficc/.)

2.8(18) Committee on Recreational Services Charter

(Amended 5/07; 6/09; 7/13)

a. Membership. Confirmed by the Vice President for Student Life:

(1) Three members appointed by the governing body of the faculty, currently the Faculty Senate;

(2) Five members appointed by the governing body of the students, currently for purposes of this committee, the joint nominations committee of the UISG and GPSG;

(3) Three members appointed by the governing body of the staff, currently the Staff Council.

(4) Committee is chaired by a student; chair selection is made by the joint nominations committee of the UISG and GPSG.

b. Charge to the Committee.

(1) The Committee shall be governed by the terms of the General Charter.

(2) In addition, the Committee shall:

(a) Advise on rules, regulations, schedules, and fees related to the use of University recreational facilities;

(b) Advise on plans for the modification or expansion of University recreational facilities;

(c) Advise along with other appropriate committees on policies governing recreational use of facilities shared with intercollegiate athletics and physical education programs;

(d) Advise on programs designed to ensure that recreational facilities are available to all elements of the University community.

(See also the Committee on Recreational Services website.)

2.8(19) Research Council Charter

(Amended 10/94; 8/02; 5/07; 6/09; 9/11; 7/13; 5/15)

a. Membership. Confirmed by the President of the University (with administrative responsibility for membership and chair appointments handled by the Vice President for Research and Economic Development):

(1) Ten members appointed by the governing body of the faculty, currently the Faculty Senate;

(2) Four members appointed by the governing body of the staff, currently the Staff Council;

(3) Two members appointed by the governing body of the students (at least 1 of whom must be a graduate or professional student), currently for purposes of this Council, the joint nominations committee of the UISG and GPSG;

(4) One postdoctoral researcher member appointed by the joint nominations committee of the UISG and GPSG in consultation with the Graduate College and the

University of Iowa Postdoctoral Association (UIPDA);

(5) One non-voting member appointed by the Emeritus Faculty Council, the executive committee of the Association of Emeritus Faculty;

(6) The Director of the Iowa Center for Research by Undergraduates (ICRU), a non-voting ex officio member;

(7) Committee is chaired by a faculty member; chair selection is made by the president of the Faculty Senate.

b. Charge to the Council.

(1) The Council shall be governed by the terms of the General Charter.

(2) In addition, the Council shall:

(a) Advise in the formulation, review, and application of policy and guidelines for University research and economic development and its funding both from within and without the University;

(b) Advise on questions concerning the compliance of research with University policies;

(c) Advise in developing methods for informing University members about research opportunities and for stimulating, evaluating, and rewarding good research;

(d) Provide a forum to which faculty and students may refer questions and recommendations concerning University research policies and procedures.

c. Guidelines.

(1) Only persons who have demonstrated an involvement and proficiency (appropriate to their varying stages of professional development) in research or other types of creative activities and who affirm a broad interest in questions concerning the research function of the University should be nominated and appointed.

(2) Care should be taken to achieve balanced representation across the University's varied research interests, spanning disciplines, funding sources, research, scholarship, creative works, and economic development. The Faculty Senate shall appoint members who represent a range of research disciplines including but not limited to the arts, biological sciences, engineering, health sciences, humanities, physical sciences, and social sciences, including faculty members from disciplines where research is not customarily funded by external entities. No more than 2 faculty from one department shall serve on Research Council at the same time.

(See also the Research Council website.)

2.8(20) (Reserved for future use)

2.8(21) Committee on Financial Aid Advisory Charter

(Amended 9/93; 12/96; 5/07; 6/09; 7/13)

a. Membership. Confirmed by the Executive Vice President and Provost:

(1) Six members appointed by the governing body of the faculty, currently the Faculty Senate, to be composed of at least 1 faculty from the Graduate College and 1 from the professional colleges;

(2) Six members (3 undergraduates, 2 graduate students, and 1 student from the professional colleges) appointed by the governing body of the students, currently for the purposes of this committee, the joint nominations committee of the UISG and GPSG;

(3) Two members appointed by the governing body of the staff, currently the Staff Council.

(4) Committee is co-chaired by a faculty member and a student; chair selections are made by the president of the Faculty Senate and the joint nominations committee of the UISG and GPSG, respectively.

b. Definition. The phrase "financial aid" as used in this rule means all forms of scholarships and other student financial aid (including loans) administered by or through the Office of Student Financial Aid or other University office, other than financial aid under the direct control of a college or department.

c. Charge to the Committee. The committee shall:

(1) Review and make recommendations to the President regarding all forms of student financial aid.

(2) Assist the Office of Student Financial Aid or other University office administering financial aid in communicating all financial aid policies to the University community.

(See also the Financial Aid Advisory Committee website.)

2.8(22) Committee on University Safety and Security Charter

(Amended 9/93; 5/01; 5/07; 6/09; 6/10; 7/13)

a. Membership. Confirmed by the Senior Vice President for Finance and Operations:

(1) Three members appointed by the governing body of the faculty, currently the Faculty Senate;

(2) Three members appointed by the governing body of the students, currently for purposes of this committee, the joint nominations committee of the UISG and GPSG;

(3) Three members appointed by the governing body of the staff, currently the Staff Council.

(4) Committee is chaired by a staff member; chair selection is made by the president of Staff Council.

b. Charge to the Committee.

(1) The charge to the Committee is to enhance the Department of Public Safety contribution to the education, research, and leadership missions of The University of Iowa.

(2) The Committee shall be governed by the terms of the General Charter.

(3) In addition, the Committee shall:

(a) Review the responsibilities of the Department of Public Safety and advise on how those responsibilities are successfully discharged;

(b) Advise on educational programs regarding safety and security issues that affect faculty, staff, students, visitors, and the general public;

(c) Advise on policies and procedures concerning University interests with respect to safety and security;

(d) Advise on processes for minimizing the likelihood of emergencies, and enhancing response to emergencies;

(e) Review agreements and collaborations with non-University law enforcement agencies and advise on if those various associations are being maintained.

(See also the Committee on University Safety and Security website.)

2.8(23) Presidential Committee on Athletics Charter

(Regents 2/10/82; amended 9/93; 4/25/95; 9/97; 9/00; 12/03; 5/04; 6/04; 5/07; 6/09)

a. General. The Presidential Committee on Athletics (PCA) is the advisory committee for the University President and the Director of Athletics on policies governing the Department of Intercollegiate Athletics consistent with the rules of the Big Ten Conference and the National Collegiate Athletics Association and consistent with the policies of the University, the Board of Regents, and the State of Iowa. In addition to its duty to advise and recommend policies to the University President and Athletics Director, the Committee periodically apprises the faculty, staff, and student constituency organizations of the status of athletics at the University and nationally.

b. Membership. Seventeen voting members appointed by the University President. Additional liaisons with Presidential approval.

(1) Two-thirds of the PCA consists of faculty members who are eligible for election to or are currently serving in the University Faculty Senate (11 members). Seven faculty members shall have a demonstrated record of undergraduate teaching and their primary appointment in one of the undergraduate colleges (Business, Education, Engineering, Liberal Arts and Sciences, or Nursing). Four faculty members shall have their primary appointment in the Graduate College or professional schools. Nominations for faculty appointments are submitted to the University President by a committee of the Faculty Senate.

(2) Two members are alumni, not members of the University faculty or staff. Alumni nominations are submitted to the President via the President of the Alumni Association in consultation with collegiate deans and other units on campus.

(3) Two members are staff via nominees generated by Staff Council.

(4) Two members are students. One student nominated from the Iowa Student Athletic Advisory Committee (ISAAC) and the second one nominated by the joint nominations committee of the UISG and GPSG.

(5) Liaisons to the committee typically include designated representatives from the Office of the President, including the Office of Equal Opportunity and Diversity, the Office of the Senior Vice President for Finance and Operations, the Office of the Executive Vice President and Provost, the Office of the Vice President for Student Life, and the Athletics Department. These representatives are appointed by the President to facilitate and participate in the work of the committee.

(6) Committee is chaired by a faculty member; chair selection is made by the University President.

c. Faculty Athletics Representative. The Faculty Athletics Representative must hold the tenured rank of professor or associate professor in the University. He or she is selected by the President after consultation with the President of the Faculty Senate. The Representative serves at the pleasure of the President. He or she need not be a member of the PCA at the time of his or her appointment, but the appointment makes him or her a member with full voting power even though this action increases the membership of the PCA beyond the usual maximum until the next vacancy. The selection of a new Faculty Athletics Representative does not of itself diminish the term of his or her predecessor as a member of the PCA.

d. Officers. The officers of the PCA are a Chair (faculty, appointed by the President after consultation with the President of the Faculty Senate; the Chair serves at the pleasure of the President of the University) and a Vice Chair. The Vice Chair is elected by vote of PCA members either at the last PCA meeting of the spring semester or the first PCA meeting of the fall semester. A recording secretary will be provided by the Department of Athletics.

e. Terms of Members. Members of the PCA are appointed for a 5-year term except for student members whose terms shall be 1 year. No person who has served for 5 years is eligible, upon completion of his or her term, for further service until he or she has been off the PCA for at least 6 months. The President of the University may waive the provisions of the foregoing sentence in the case of the Chair of the PCA, or of the Faculty Athletics Representative. The term of any person selected to fill a vacancy expires on the date which would have been applicable to the person whom he or she succeeded. For continuity and depth of experience within the committee, efforts should be made to stagger terms of appointments.

f. Removal. Because intercollegiate athletics is a subject in which there is great public interest and calls for members of unusual ability, discretion, and judgment, the President, upon request of one-fifth of the members (3) of the PCA and for reasons which seem adequate, may remove a member from the PCA and cause the vacancy thus created to be filled. The PCA, by three-fourths vote of its members (13), may remove a member and declare the seat vacant.

2.8(24) Sustainability Committee Charter

(Amended 12/12; 7/13)

a. Membership. Confirmed by the President of the University (with administrative responsibility for membership and chair appointments handled by the Senior Vice President for Finance and Operations):

(1) Four members appointed by the governing body of the faculty, currently the Faculty Senate;

(2) Four members appointed by the governing body of the staff, currently the Staff Council;

(3) Four members (2 undergraduates, 1 graduate student, and 1 student from the professional colleges) appointed by the governing body of the students, currently for purposes of this committee, the joint nominations committee of the UISG and GPSG;

(4) Administrative liaisons: Director of the Office of Sustainability and Director of Facilities Management; Ex Officio Members: Director of Parking and Transportation; 1 representative from UI Hospitals & Clinics; 1 representative from Residence Halls Housing and Dining; 1 representative each from the Office of the Vice President for Student Life, the Office of the Executive Vice President and Provost, the Office of the Vice President for Research and Economic Development, and the Senior Associate to the President.

(5) Committee will be co-chaired by a faculty member and a staff member; chair selection candidates are submitted to the President of the University by the President

of the Faculty Senate and President of the Staff Council.

(6) Student candidates will have 1-year appointments according to their policies and procedures.

(7) Faculty and staff members will have 2- to 3-year appointments according to their policies and procedures.

b. Charge to the Committee.

(1) The Committee shall be governed by the terms of the General Charter.

(2) In addition, the Committee shall:

(a) Recommend and advise on matters pertaining to sustainability practices and formulation of University policies;

(b) Advise on the integration of sustainability with existing campus programs in education, research, operations, and community outreach;

(c) Assist in engaging the campus in an ongoing dialogue about sustainability and instilling a culture of sustainable long-range planning and forward-thinking design through their respective constituencies;

(d) Advise on the development and implementation of campus sustainability action plans.

(See also the Sustainability Committee website.)

I. Governance

Chapter 3 – University of Iowa Health Care

(President 10/30/15)

3.1 Organization and Scope

University of Iowa Health Care (UI Health Care) is a comprehensive academic medical center that offers world class health care through the provision of clinical services, medical education, and medical research for the State of Iowa. UI Health Care is comprised of the Carver College of Medicine (CCOM), Center for Disabilities and Development (CDD), University of Iowa Hospitals and Clinics (UIHC), and University of Iowa Physicians (UIP) (see paragraphs a–c below) and is assisted in completing its mission through its affiliation with the University of Iowa Health System (UIHS) and the University of Iowa Health Alliance (UIHA). UI Health Care also engages in other charitable, educational, and scientific activities that would further its mission. Through this mission, UI Health Care strives to improve the health of each patient, the health of Iowans, and the value of health care provided to Iowa.

a. Carver College of Medicine. The Roy J. and Lucille A. Carver College of Medicine operates educational programs in medicine, graduate medical education, continuing medical education, physician assistant, physical therapy and rehabilitation science, nuclear medicine technology, radiation sciences, perfusion technology, and orthoptic training. CCOM also performs a wide array of basic science research, clinical research, and clinical care through University of Iowa Physicians.

b. University of Iowa Physicians. University of Iowa Physicians is the multispecialty medical and surgical clinical practice comprised of the faculty and staff of CCOM.

c. University of Iowa Hospitals and Clinics. University of Iowa Hospitals and Clinics operates an adult hospital, a children's hospital, a psychiatric hospital, a graduate medical education program, as well as a wide array of ambulatory clinics.

3.2 Governance

The Vice President for Medical Affairs (VPMA) shall be responsible for the business and affairs of UI Health Care, including establishing an integrated strategic direction to achieve UI Health Care's mission, establishing an integrated budget, and overseeing the operations of UI Health Care. The VPMA shall report to the President of the University, except for those activities for which the VPMA is directly responsible to the Board of Regents, State of Iowa, as set forth in this *Operations Manual* and applicable law. "Board of Regents" as used in this chapter refers to the Board of Regents acting in their capacity as the governing board for the University of Iowa and as trustees for the University of Iowa Hospitals and Clinics (IC 262.7; BRPM 1.2). The VPMA shall engage a cabinet to advise the VPMA on the management of UI Health Care's operations at the VPMA's direction. The cabinet shall be responsible for overseeing the day-to-day operational decisions made by the leaders in their areas of responsibility.

a. Cabinet. The cabinet shall consist of the VPMA, UIHC chief executive officer, CCOM dean, UIP executive director, and such other individuals who are appointed from time to time by the VPMA, at the VPMA's sole discretion. All members of the cabinet serve as at-will appointees of the VPMA.

b. CCOM dean. The CCOM dean shall report to the VPMA, except for those activities for which the CCOM dean reports to the Provost, as set forth in this *Operations Manual*.

c. UIP executive director. The UIP executive director shall report to the VPMA, provided, however, that such reporting relationship may be delegated to the CCOM dean.

d. UIHC CEO. The UIHC CEO shall report to the VPMA.

e. Other leadership. The VPMA, with the advice of the cabinet, may authorize other agents of UI Health Care to take such actions as may be necessary to carry out the strategic direction and operations of UI Health Care.

3.3 Authority of the VPMA

Subject to applicable law, the *Operations Manual*, and the direction of the Board of Regents and the President, the VPMA shall have the authority and responsibility with respect to each of the following matters:

a. Strategic planning of UI Health Care.

b. Business plans of UI Health Care.

c. Operating and/or capital budgets of UI Health Care, in conjunction with the University Treasurer.

d. Oversee leadership personnel of UI Health Care.

e. Oversee the research enterprises of UI Health Care, in conjunction with the UI Vice President for Research.

f. Oversee the educational enterprises of UI Health Care, in conjunction with the UI Executive Vice President and Provost.

g. Oversee the clinical enterprises of UI Health Care.

h. Establish policies and procedures for UI Health Care consistent with this *Operations Manual* and applicable law.

i. Advise the Board of Regents, UI President, other UI institutional officers, and other state officials, as appropriate, on statewide health care issues.

j. Propose any amendment to this chapter of the *University of Iowa Operations Manual*.

k. Approval of incurrence of indebtedness by UI Health Care in coordination with the chief financial officer for UI Health Care and the UI Treasurer.

l. Development of payor strategy and execution of payor strategy for UI Health Care, including approval of all payor agreements.

m. Approval of all shared service and purchased service agreements among UI Health Care units and with other University units.

n. The transfer of assets between the UI Health Care components, with or without consideration and direct the transfer or sale of assets of the UI Health Care, in conjunction with the UI Treasurer and subject to any applicable contractual obligations, including bond covenants.

o. Transfer, sale, or closure of any facility, department, or service from and to UI Health Care, with or without consideration, subject to any applicable contractual obligations, including bond covenants, in conjunction with the UI Treasurer.

p. Material corporate transactions of UI Health Care.

q. Serve as the principal liaison with University of Iowa Health System and its affiliated entities.

r. Serve as principal liaison with University of Iowa Health Alliance and its affiliated entities.

s. Direct fundraising to address all aspects of private support for UI Health Care, including serving as the principal liaison for UI Health Care to the University of Iowa Foundation.

t. Serve as the principal liaison to the University of Iowa.

3.4 Limitations upon Authority of VPMA; Authority Retained by Other Persons or Entities

Notwithstanding the provisions of I-3.3, subject to applicable law, the direction of the Board of Regents and the President, and this *Operations Manual*, the VPMA shall not, without approval of the President:

a. Direct the transfer, sale, or closure of assets, facilities, departments, or functions at UI Health Care if such action would materially impact ability to deliver health care, provide medical education, and perform medical research.

b. Take any action that would materially impact the federal tax-exempt status of UI Health Care or any tax-exempt member of UI Health Care or in the taxability of any tax-exempt bonds of UI Health Care or any tax-exempt member of UI Health Care, as determined by legal counsel with expertise in tax-exempt status and tax-exempt bond matters selected by UI Health Care and the UI Treasurer.

c. Direct or request any action that would, in the opinion of nationally recognized legal counsel, pose a material risk of violation of applicable law.

3.5 Dissolution

In the event of dissolution of UI Health Care or the Office of the Vice President for Medical Affairs for any reason, the President of the University of Iowa shall be responsible for directing the oversight of the assets of UI Health Care and the Parties shall return the relationship in existence status quo ante as of formation of UI Health Care, to the extent possible, subject to the direction of the President and the Board of Regents, as applicable.

I. Governance

Chapter 4 – Affiliated Organizations

(Amended 9/98; 11/01; 12/10; 7/13; 8/15)

The following are a number of organizations that are legally distinct from The University of Iowa, but have purposes that benefit or are otherwise related to the University's mission.

4.1 The University of Iowa Alumni Association

(Amended 9/98; 12/10)

The University of Iowa Alumni Association is a 501(c)(3) nonprofit tax-exempt membership organization with over 53,000 members. It was formed in 1867 and is an organization dedicated to advancing The University of Iowa through a variety of communications, programs, and services. Its mission is to strengthen the University through alumni engagement.

4.2 The University of Iowa Facilities Corporation

The Facilities Corporation was incorporated in 1967 as a supporting organization of The University of Iowa Foundation to assist in maintaining, developing, increasing, and extending the facilities and services available to the University. The corporation acquires and holds property for the benefit and use of the University.

4.3 Iowa Law School Foundation

The Iowa Law School Foundation is an Iowa nonprofit corporation "organized to promote and develop the ability of the College of Law of The University of Iowa to train students for the legal profession, by promoting a close, mutual relationship between the College of Law and its alumni and by soliciting and receiving funds and other gifts to be used for such purposes as the purchase of books, equipment, and supplies for the College of Law, the endowment of scholarships to the College of Law for worthy students, the establishment of special facilities, including such things as special groups and lectures, of any and all types for the benefit of the College of Law, its faculty and students, and for such other purposes as will better enable the College of Law to perform its fundamental educational functions" (Article III, Articles of Incorporation of Iowa Law School Foundation).

4.4 Iowa Measurement Research Foundation

The purposes of the Iowa Measurement Research Foundation are to advance knowledge in the field of educational testing, to enrich the training of research workers in this field, and to support the development of measuring instruments of potential value to school personnel. The Foundation achieves these purposes through: 1) research grants to faculty of The University of Iowa College of Education; 2) support of test development and research projects of the Iowa Testing Programs; 3) subsidies for activities leading to enrichment of the graduate program in measurement of The University of Iowa; 4) maintenance of a library of standardized tests and other reference materials in the area of testing; and 5) support for activities which lead to the dissemination of research findings.

4.5 Student Publications, Incorporated

Student Publications, Inc. (SPI), is an educational nonprofit corporation that runs and manages *The Daily Iowan.* Its Board of Trustees consists of three alumni of the University and the *Daily Iowan* newsroom, three University faculty members, two staff members, and six University students. The goals of SPI are to train journalists and to provide a newspaper for the University of Iowa community.

4.6 The University of Iowa Foundation

(Amended 11/01; 7/13)

Organized in 1956 as a nonprofit IRC Sec. 501(c)(3) organization, The University of Iowa Foundation is legally, organizationally, and operationally separate from The University of Iowa and is governed by an independent board of directors. The Foundation's purpose is to solicit, receive, and manage gifts to support research and educational activities at The University of Iowa. The Foundation's expenditures from gifts it receives are in most instances directed by donors' gift designations for specific uses benefiting the University. In connection with its activities, the Foundation adheres to the principles of the Code of Ethics of the Council for the Advancement and Support of Education. The University of Iowa recognizes the Foundation as an appropriate channel for the receipt of gifts intended to benefit the University.

(See V-3 Deposits and Expenditures of Funds; V-5.6 Gifts and Grants.)

4.7 The University of Iowa Health System

(Amended 8/15)

The University of Iowa Health System (UIHS) is a nonprofit corporation organized and operated to support the clinical, academic, and research programs of the Carver College of Medicine, University of Iowa Physicians, and University of Iowa Hospitals and Clinics by establishing a continuum of relationships with health care providers and payors. UIHS is legally and organizationally separate from the The University of Iowa and governed by a board of directors. UIHS conducts its functions primarily through subsidiary organizations in which it owns an interest.

4.8 The University of Iowa Research Foundation

The University of Iowa Research Foundation is tax exempt from federal income taxes under the provisions of Section 501(c)(3) of the Internal Revenue Code of 1954. It was organized for the purpose of encouraging and assisting investigation, research, and education at The University of Iowa. This is accomplished by obtaining and managing proprietary right in copyrights, patents, and licenses and by assisting in the commercial development of these technologies.

4.9 The University of Iowa Research Park Corporation

The University of Iowa Research Park Corporation is a not-for-profit organization incorporated in the State of Iowa on April 24, 1989. It was established to build a nucleus of businesses in Iowa that are drawn by the strengths of the University and the private sector. The Oakdale Research Park is part of the Corporation. The organization subleases portions of the Oakdale Research Park to tenants under operating lease agreements. The Corporation is exempt from payment of income taxes under Section 501(c)(2) of the Internal Revenue Code and similar section of the state income tax law. Pursuant to the provisions of Section 501(c)(2), the organization's net income is vested with The University of Iowa.

II. Community Policies

Chapter 1 – Code of Fair Practices

1.1 Preamble

a. The Constitutions of the United States of America and of the State of Iowa call for political liberty and equality and afford the equal protection of the laws for all persons. Discriminatory practices based upon race, creed, color, religion, national origin, sex, age, and physical and mental disability betray the vision of the founding fathers and threaten the orderly procedures of democratic government.

b. The Congress of the United States has enacted a Civil Rights Law and has passed resolutions condemning discriminatory practices. This law is known as Title VII of the 1964 Federal Civil Rights Act as amended by the Equal Employment Opportunity Act of 1972, and the Federal Civil Rights Act of 1991. The clear intent of this law and resolutions passed thereunder is the assurance that the rights of the people to equal treatment shall not be abridged.

c. The General Assembly of the State of Iowa enacted the Iowa Civil Rights Act of 1965 as amended. The clear intent of this law and resolutions passed by the General Assembly of the State of Iowa is to assure that the rights of the people to equal treatment shall not be abridged.

d. In recognition of Iowa's declared public policy and the obligations for fair and equal treatment of all persons guaranteed by the United States Constitution, the Board of Regents declares the following to be its policy:

1.2 Statement of Policy

The Board of Regents has a special obligation to have its operations serve as a model for business, industry, labor, and education. Neither the Board of Regents nor any official who is responsible to the Board of Regents shall, therefore, in policy or in practice, discriminate on the basis of race, creed, color, religion, sex, national origin, age, or physical or mental disability except where it relates to a bona fide occupational qualification.

1.3 Appointment, Assignment, Training, and Advancement of Executive Personnel

The Board of Regents and all officials who are responsible to the Board of Regents shall appoint, assign, and advance employees solely on the basis of merit and fitness. Each institution under the Board of Regents shall promulgate a clear and unambiguous written policy of nondiscrimination in employment and shall adopt an affirmative action program containing goals and time specifications in personnel administration. Each such institution shall regularly review its personnel practices and procedures with a view to correcting any such personnel practices and procedures which may contribute to discrimination in appointment, assignment, or advancement. Each such 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 such institution shall also bar from all employment application forms any inquiry as to race, creed, color, religion, sex, national origin, age, or physical or mental disability, except for statistical purposes, unless it relates to a bona fide occupational qualification. The employment practices of the Board of Regents shall be in strict conformity to the provisions of the Iowa Civil Rights Act of 1965 as amended, Iowa Executive Order #15 of 1973, Federal Executive Order 11246 of 1965 as amended by Federal Executive Order 11375 of 1967, the Equal Employment Opportunity Act of 1972, and the Civil Rights Act of 1991 amending Title VII of the 1964 Federal Civil Rights Act and all provisions relevant to fair employment of the rules and regulations of the Board of Regents and of its institutions, and shall assure equal protection of the laws as guaranteed by the Fourteenth Amendment to the Constitution of the United States.

1.4 State Employment Services

All officials responsible to the Board of Regents who provide placement or referral services for public or private employers shall refuse to fill any job order which violates the Iowa Civil Rights Act of 1965 as amended, Iowa Executive Order #15 of 1973, Federal Executive Order 11246 as amended by Federal Executive Order 11375 of 1967, the Equal Employment Opportunity Act of 1972, and all provisions relevant to fair employment of the rules and regulations of the Board of Regents and of its institutions because the job order specifies race, creed, color, religion, sex, national origin, age, or physical or mental disability as a condition of employment, assignment, or advancement except where it relates to a bona fide occupational qualification. They shall, moreover, refer such prohibited requests to the Board of Regents Equal Opportunity Compliance Office and/or to the Iowa Civil Rights Commission for investigation, conciliation, and other appropriate action.

1.5 State Educational, Counseling, and Training Programs

All educational and vocational guidance programs and their essential components, counseling, and testing, and all on-the-job training programs for the employees of any institution responsible to the Board of Regents, shall be administered in accordance with the provisions of the Iowa Civil Rights Act of 1965 as amended, Iowa Executive Order #15 of 1973, Federal Executive Order 11246 of 1965 as amended by Federal Executive Order 11375 of 1967, the Equal Employment Opportunity Act of 1972 and all provisions relevant to fair employment of the rules and regulations of the Board of Regents and of its institutions. Every official responsible for the implementation of such programs shall be charged with the duty of seeking to provide equal opportunity for all, regardless of race, creed, color, religion, sex, national origin, age, or physical or mental disability except where it relates to a bona fide occupational qualification.

1.6 State Services and Facilities

Pursuant to the provisions of the Fourteenth Amendment of the Constitution of the United States and the Iowa Civil Rights Act of 1965 as amended, Iowa Executive Order #15 of 1973, Federal Executive Order 11246 of 1965 as amended by Federal Executive Order 11375 of 1967, the Equal Opportunity Act of 1972 and all provisions relevant to fair employment of the rules and regulations of the Board of Regents and of its institutions, equal treatment shall be guaranteed by all institutions of the Board of Regents in performing their services to the public, and equal treatment shall be guaranteed in the use of their facilities. Those in charge of the various institutions shall take special care that no institutional facility is used in the furtherance of any discriminatory practices.

1.7 State Contracts and Subcontracts

To insure compliance with the provisions of the Iowa Civil Rights Act of 1965 as amended, Iowa Executive Order #15 of 1973, Federal Executive Order 11246 of 1965 as amended by Federal Executive Order 11375 of 1967, the Equal Employment Opportunity Act of 1972 and all provisions relevant to fair employment of the rules and regulations of the Board of Regents and of its institutions, every official responsible to the Board of Regents who is authorized to make contracts or subcontracts for public works 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 forbidden by

the Iowa Civil Rights Act of 1965 as amended, Iowa Executive Order #15 of 1973, Federal Executive Order 11246 of 1965 as amended by Federal Executive Order 11375 of 1967, the Equal Opportunity Act of 1972, and all provisions relevant to fair employment of the rules and regulations of the Board of Regents and of its institutions. Contractors, vendors, and suppliers shall further be required to submit or have on file with the Board of Regents Equal Opportunity Compliance Office a copy of their affirmative action program containing goals and time specifications. These contractual provisions shall be fully monitored and enforced; any breach of them shall be regarded as a material breach of contract. See IAC [681].7.1(262).

1.8 Compliance and Reporting

The Board of Regents, with the assistance of the Regents institutions executive officers and such designees as the Board of Regents Compliance Officer and the Regent institutions Equal Employment Opportunity and Affirmative Action Officers, shall monitor and take whatever action necessary to assure compliance with this Code of Fair Practices.

1.9 Publication and Posting

Copies of this Code of Fair Practices shall be distributed to all officials who are responsible to the Board of Regents. The Code shall, further, be posted conspicuously in all Regents institutions. Each institution under the Board of Regents shall cooperate with the Iowa Civil Rights Commission and other state and federal agencies involved in the effectuation of nondiscriminatory regulations in posting, upon request, notices relating to the Iowa Civil Rights Act and other state and federal nondiscriminatory policies.

II. Community Policies

Chapter 2 – Equal Opportunity Policy Applied to Contractors

2.1 Policy of Equal Employment Opportunity

All contractors, including suppliers supplying goods or services to the institutions governed by the Board of Regents, State of Iowa, regardless of where located or the form of contractual relationship, are expected to comply with the spirit of equal employment opportunity, as well as with the letter of all applicable statutes and regulations. Compliance shall require contractors not to discriminate and, in addition, to take affirmative action to ensure that members of minority groups are effectively afforded equal employment opportunities.

2.2 Administration

a. In order to carry out the purposes of the policy, the Regents Equal Employment Opportunity Compliance Office has been established at the Lucas State Office Building, Des Moines, Iowa. The administration of the policy shall be the primary responsibility of the Regents Equal Employment Opportunity Compliance Officer (hereinafter called the Compliance Officer) under the general supervision of the Executive Secretary of the Board.

b. Since the purpose of the policy is to open up opportunity for and eliminate discrimination against members of minority groups, the emphasis in the administration of the policy shall be to encourage improvement by contractors in their employment practices, while at the same time requiring compliance, so as to effectively provide equal opportunities in employment for all persons.

c. An interinstitutional Committee on Equal Opportunity (hereinafter called the Committee) has also been established for the purpose of advising and otherwise assisting the Compliance Officer in carrying out his or her responsibilities. The Committee is further charged with providing coordination between the Compliance Office and the institutions.

d. Compliance shall be determined by a comprehensive review and evaluation of a contractor's employment policies and practices and shall depend on an analysis of all relevant factors, including the following:

    (1) The contractor's publicly stated and posted policy regarding equal opportunity employment.

    (2) The contractor's external dealings with unions, employment agencies, newspapers, and other sources of employees.

    (3) The methods by which and places where the contractor seeks to recruit employees.

    (4) The contractor's use of tests and qualifications for positions which are job related and not culturally biased.

    (5) Classification and compensation plans which apply equally to all employees.

    (6) Training programs which provide minority group members with an equal opportunity to qualify for employment and advancement.

    (7) The contractor's active support of local and national community action programs.

    (8) The effectiveness of the contractor's affirmative action program as evidenced, in part, by the number or percentage of minority group employees employed at all levels, taking into account the geographical location of the contractor's work force.

e. The judgment regarding compliance shall be favorable if it is determined that the contractor is working affirmatively toward extending opportunities for minority group persons and is not discriminating against such persons. Contractors must be able to demonstrate to the satisfaction of the Compliance Officer that their affirmative action program is productive.

2.3 Procedures

a. Contractors will be sent periodically an informative statement explaining the Regents equal employment opportunity policy. In the case of construction contracts, the statement constitutes part of the general conditions and bid specifications and compliance therewith is a condition of doing business with Regents institutions. It is the intention of the Regents to be fair and to avoid harassment and unnecessary red tape, but to be clear and firm about policy and expectations.

b. Contractors are to submit periodic reports as requested by the Compliance Office on the basis of an impartial selection procedure, such as contracts over a fixed dollar amount, contractors with more than a fixed number of employees, contractors with employees present on the campus, random sampling, or a combination of such factors. The report forms shall be as brief as possible and designed to elicit relevant information about employment practices. The Compliance Office may request other relevant information from a contractor at any time.

c. The Compliance Office will solicit and compile additional information about present and prospective contractors from any reliable source, including the Regents institutions, the Iowa Civil Rights Commission, and other state and federal agencies.

d. The Compliance Office shall systematically review the reports and all other available information concerning the employment practices of present and prospective contractors. Whenever there is reasonable doubt, based on such reports and information, as to whether or not a contractor is discriminating or is failing to take affirmative action in compliance with the Regents policy, the Compliance Office shall undertake a compliance review of such contractor. Every reasonable effort shall be made to secure compliance through conciliation and persuasion. The burden shall be on the contractor to demonstrate that he or she is in compliance and thus eligible to do business with the Regents.

e. The Compliance Office will receive written and signed complaints against a contractor from any person aggrieved by the contractor's alleged discrimination. The Compliance Office shall promptly notify the institution involved of a complaint. The burden shall be on the complainant to prove the truth of his or her allegations. Cognizance will also be taken of verbal complaints, newspaper reports, and any other legitimate source, and these will be followed up if investigation appears justified. Award of contracts will ordinarily be deferred while an investigation is pending, but executed contracts will not be suspended except in compelling situations.

f. If an investigation or compliance evaluation discloses that there is reasonable cause to believe a contractor has discriminated or has failed to take affirmative action, the Compliance Officer may declare the contractor nonresponsible, unless he or she can otherwise affirmatively determine that the contractor is able to comply. The Compliance Officer shall issue a written notice to the contractor declaring him or her to be nonresponsible, and giving him or her thirty days to show cause why enforcement proceedings should not be instituted. During the thirty-day show cause period, every effort shall be made to effect compliance through the processes of conciliation, mediation, and persuasion.

g. If the contractor fails to show good cause for his or her failure to comply or fails to remedy that failure, with the advice and consent of the Committee and the Executive

Secretary of the Board, the Compliance Officer may issue a written notice of proposed cancellation or termination of the existing contract or subcontract and debarment from future contracts and subcontracts, giving the contractor ten days to request a hearing. If a request for hearing has not been received within ten days from such notice, such contractor will be declared ineligible for future contracts and current contracts will be terminated for default following the approval of the Board of Regents, State of Iowa.

h. Hearings shall be conducted by a hearing examiner appointed by the Executive Secretary of the Board from a panel of hearing examiners selected and approved by the Board. The hearing examiner shall submit his or her findings of fact and conclusions to the Compliance Officer and the Committee who shall make recommendations for final action to the Board of Regents.

i. The Compliance Officer shall promptly notify the Board of Regents when such action is pending regarding the suspension, cancellation, or termination of existing contracts or subcontracts, and debarment from future contracts and subcontracts.

j. An equal opportunity liaison officer shall be appointed by each institution to work cooperatively with the Compliance Officer and the Committee.

(See also IAC [681]7.2(262).)

II. Community Policies

Chapter 3 – Human Rights

(Amended 9/14; 7/1/17)

For related policies, see II-14 Anti-Harassment, II-4 Sexual Harassment, and II-11 Anti-Retaliation.

3.1 Policy and Rationale

The University of Iowa brings together in common pursuit of its educational goals persons of many nations, races, and creeds. The University is guided by the precepts that in no aspect of its programs shall there be differences in the treatment of persons because of race, creed, color, religion, national origin, age, sex, pregnancy, disability, genetic information, status as a U.S. veteran, service in the U.S. military, sexual orientation, gender identity, associational preferences, or any other classification that deprives the person of consideration as an individual, and that equal opportunity and access to facilities shall be available to all. These principles are expected to be observed in the internal policies and practices of the University; specifically in the admission, housing, and education of students; in policies governing programs of extracurricular life and activities; and in the employment of faculty and staff personnel. Consistent with state and federal law, reasonable accommodations will be provided to persons with disabilities and to accommodate religious practices. The University shall work cooperatively with the community in furthering these principles.

3.2 Definition of Terms Used in This Policy

a. Alleged victim: a person against whom discrimination has allegedly occurred.

b. Complainant: the person who brings a complaint of violation of this policy, who could be an alleged victim or a third party.

c. Graduate assistant: a graduate student employed by the University as a research assistant or teaching assistant.

d. Instructor: a person engaged in teaching students or in evaluation or supervision, direct or indirect, of a student's academic work.

e. Member of the University community: any University student, or faculty or staff member.

f. Protected interests: University employment, education, on-campus living, or participation in a University activity.

g. Respondent: a person or unit that has been accused of discriminating against one or more individuals.

h. Specific and credible allegations: allegations that provide factual details such as, but not limited to, time, place, actions, participants, and witnesses. Allegations do not necessarily have to be based on firsthand observation of events to be "specific and credible," but direct observation normally results in greater specificity and credibility than indirect knowledge.

i. Supervisor: a person who has authority either: 1) to undertake or recommend tangible employment decisions (those that significantly change an employee's employment status, such as, but not limited to, hiring, firing, promoting, demoting, reviewing performance, reassigning, and compensation decisions) affecting an employee, or 2) to direct the employee's daily work activities.

j. Third-party complainant: a person who brings a complaint alleging an act of discrimination against someone else.

3.3 Bringing a Complaint

a. Persons who believe they have been subjected to discrimination in violation of the policy are encouraged to report it, even if they are not certain whether a violation of this policy has occurred. A complaint that this policy has been violated may be brought to the Office of Equal Opportunity and Diversity (EOD), 202 Jessup Hall, through informal or formal channels by any member of the University community, including a third party, or by the University itself. A complaint must state specific and credible allegations of discrimination to warrant an investigation. There is no time limit for bringing a complaint; however, it may be difficult to substantiate the allegations if they are made after significant time has passed. Therefore, prompt reporting of complaints is strongly encouraged.

   Anyone (victims or others) who wishes to consult with someone about a specific situation without making a complaint, or who wishes simply to learn more about enforcement of this Human Rights Policy may contact any of the following offices or organizations:

   (1) Office of the Ombudsperson (for faculty, staff, students, and persons not affiliated with the University), C108 Seashore Hall;

   (2) Employee Assistance Program (for faculty or staff), 121-50 University Services Building;

   (3) University Counseling Service (for students), 3223 Westlawn;

   (4) Women's Resource and Action Center (for faculty, staff, or students), Bowman House.

b. Informal complaints. An informal complaint is a request that the Office of Equal Opportunity and Diversity seek to reach an informal resolution of the complainant's concerns. The procedures for such complaints are designed to be flexible so as to enable the Office of Equal Opportunity and Diversity to address an individual's situation in the most effective and expeditious manner possible. Resolutions of informal complaints are accomplished with the assistance of other offices or administrators on campus in the area relevant to the complaint.

   In the case of an informal complaint, the accused party normally will not be informed of the complainant's action or identity without the consent of the complainant unless circumstances require. When allegations are addressed through an informal resolution process, no disciplinary action may be taken against the respondent, and there will be no record of the allegations in the respondent's personnel file or student disciplinary file, unless the person is notified of the allegations and given an opportunity to respond.

c. Formal complaints. A formal complaint of discrimination involves an impartial investigation of the complainant's allegations by the Office of Equal Opportunity and Diversity. The investigation begins when the Office provides written notice to the respondent of the filing of the complaint, the identity of the complainant, and the general allegations of the complaint. The respondent is then interviewed regarding the specifics of the allegations and given an opportunity to respond fully to the allegations. The Office of Equal Opportunity and Diversity may also interview other persons believed to have factual knowledge relevant to the allegations. The purpose of the investigation is to establish whether the Office of Equal Opportunity and Diversity finds a reasonable basis to conclude, by the preponderance of the evidence, that the respondent violated the Policy on Human Rights.

The Office of Equal Opportunity and Diversity will issue written findings outlining the basis for its conclusions. The written finding normally will be issued within 60 days of when the complaint was filed. When it is not reasonably possible to issue the finding within that time, the Office of Equal Opportunity and Diversity will notify the alleged victim and the respondent that the finding will be delayed and indicate the reasons for the delay. This report is provided to the administrative officials responsible for the area in which the respondent is involved, the alleged victim, the respondent, and the chief administrative officer in the unit (e.g., the Provost in a complaint filed against a faculty member; the vice president or dean for the unit in the case of a staff member; or the Vice President for Student Life in the case of a student) or his or her designee. Third-party complainants will be notified only that the proceedings are concluded.

3.4 Process for Sanctions

a. In the case of formal complaints, the following administrators will review the findings of the Office of Equal Opportunity and Diversity investigation:

(1) the Office of the Provost, if the respondent is a faculty member or other instructional personnel (except graduate assistants);

(2) the office of the vice president or dean responsible for the unit employing the person charged, if the respondent is a staff member (including a graduate assistant, in which case the Dean of the Graduate College also must be notified in order to determine whether ramifications apply for the student's academic progress);

(3) the Dean of Students, if the respondent is a student (including a graduate student, in which case the Dean of the Graduate College also must be notified in order to determine whether ramifications apply for the student's academic progress).

(4) the appropriate administrator above, if the respondent is a unit.

b. The administrator who receives the report shall:

(1) discuss it with EOD in order to determine, based on EOD's findings and input, appropriate corrective measures and/or sanctions. If the respondent is a staff member, the administrator will also consult with the Senior Human Resources Leadership Representative in the unit. If the respondent is a faculty member, graduate assistant, or unit, the administrator will also consult with the appropriate dean and departmental executive officer. When a respondent staff member, faculty member, or graduate assistant is also a student, the administrator and the Dean of Students will also consult with one another in determining what corrective measures or sanctions should be pursued.

(2) implement appropriate corrective measures and/or sanctions consistent with University procedures. The administrator must inform EOD in writing of the actions that are taken in response to EOD's findings.

(3) insure that the alleged victim is informed when action is taken.

c. Violations of the Human Rights Policy may lead to sanctions up to and including termination or separation from the University. If the respondent is a unit, sanctions may include changes to unit policies or processes, or other appropriate actions. Sanctions for violations of this policy should be commensurate with the nature of the violation and the respondent's disciplinary history. It is the responsibility of the appropriate administrator to follow-up with the parties at a reasonable interval(s) to assess their compliance with the sanctions imposed. More serious sanctions up to and including termination of employment or separation from the University may be imposed in the event that the individual fails to comply with the sanctions initially imposed.

3.5 Applicable Procedures

(Amended 7/1/17)

Formal sanctions imposed in response to alleged violations of this policy will be governed for:

a. faculty members by III-29 Faculty Dispute Procedures and that portion of those procedures dealing with faculty ethics (III-29.7).

b. staff members by applicable Regent Merit System Rules and University policies, including III-16 Ethics and Responsibility Statement for Staff, and the applicable grievance procedures, including III-28 Conflict Management Resources for University Staff;

c. graduate assistants, when dismissal is sought, by the procedure for dismissal of graduate assistants (III-12.4). When sanctions other than dismissal are imposed by the dean of the employing college, a graduate assistant may appeal through those procedures established for graduate assistant employees;

d. students by the Student Judicial Procedure.

3.6 Appeal Procedures

If the Office of Equal Opportunity and Diversity concludes that the complaint is unfounded, the complainant may appeal the finding on the grounds that the decision was arbitrary and capricious or that the investigating office did not follow procedures resulting in prejudice to the complainant. Appeals must be made electronically or in writing and submitted together with all supporting documentation to the Office of Equal Opportunity and Diversity within 10 University business days of the receipt of the finding. Generally within two University business days, the Office of Equal Opportunity and Diversity will transmit the notice of appeal and the case record to the appropriate appeal officer, as described on the EOD website. The appeal officer, or the appeal officer's designee, will issue a written decision on the appeal to the complainant and the Office of Equal Opportunity and Diversity within 20 University business days of the receipt of the appeal, although this time frame may be extended due to the complexity of the case or the severity of the allegations.

In cases where the appeal is denied, such action constitutes final University action on the matter, subject to appeal to the Board of Regents. In cases where the appeal is successful, in whole or in part, the appeal officer/designee will advise the Office of Equal Opportunity and Diversity regarding appropriate measures to address the issues of concern raised in the appeal.

For complaints that conclude in a finding that there is a reasonable basis to believe that a policy violation has occurred and sanctions have been imposed, respondents may appeal such findings through the grievance procedures applicable to them. The respondent may challenge any sanctions imposed as a result of a finding through available grievance procedures.

3.7 Protection Against Retaliation

a. Retaliation against alleged victims, complainants, and/or witnesses who provide information during an investigation pursuant to this policy is prohibited by II-11 Anti-Retaliation. Reasonable action will be taken to assure that alleged victims, complainants, and/or witnesses suffer no retaliation as a result of their activities with regard to the process.

b. Any retaliation against alleged victims, complainants or witnesses should be reported pursuant to II-11 Anti-Retaliation. Retaliation may result in sanctions against the person committing the retaliatory act(s).

3.8 Protection of the Respondent

a. This policy shall not be used to bring knowingly false or malicious allegations. Making such allegations may subject the complaining party to sanctions up to and including termination or separation from the University. Any such action will be initiated by the appropriate administrator overseeing the complainant(s).

b. In the event the allegations are not substantiated, reasonable steps will be taken to restore the reputation of the respondent if it was damaged by the proceeding. The respondent may consult with the investigating office regarding reasonable steps to address such concerns.

3.9 Confidentiality

a. In order to empower community members to voice concerns and bring complaints, the confidentiality of all parties will be protected to the greatest extent possible. However, confidentiality cannot be guaranteed.

b. Alleged victims, third-party complainants, and respondents are expected to maintain confidentiality as well. They are not prohibited from discussing the situation outside of the work or educational environment. However, the matter should not be discussed with individuals who are members of their University work or educational environment.

c. Dissemination of documents relating to complaints of Human Rights Policy violations and/or to the investigation of such complaints, other than as necessary to pursue an appeal, grievance, or other legal or administrative proceeding, is prohibited.

d. Failure to maintain confidentiality by a respondent may be considered to be a form of retaliation in violation of II-3.7 of this policy. Failure to maintain confidentiality by any party (alleged victim, third-party complainant, or respondent) may result in sanctions.

II. Community Policies

Chapter 4 – Sexual Harassment

(President 7/28/86; 12/91; 7/1/02; 3/21/05; 12/05; 11/09; 1/18/11; 8/13; 7/15; 7/1/17)

For additional policies and procedures that apply to sexual harassment involving students, see IV-2 Sexual Misconduct, Dating/Domestic Violence, or Stalking Involving Students.

4.1 Policy

a. Policy and Rationale.

(1) Sexual harassment subverts the mission of the University and threatens the careers, educational experience, and well-being of students, faculty, and staff. The University will not tolerate sexual harassment, nor will it tolerate unwelcomed behavior of a sexual nature toward members of the University community when that behavior creates an intimidating or hostile environment for employment, education, on-campus living, or participation in a University activity.

(2) Sexual harassment is especially serious when an instructor harasses a student or a supervisor harasses a subordinate. In such situations, sexual harassment unfairly exploits the power inherent in an instructor's or supervisor's position. However, while sexual harassment often takes place in situations where there is an abuse of a power differential between the persons involved, the University recognizes that sexual harassment is not limited to such situations. Sexual harassment can occur when a student harasses an instructor, when a subordinate harasses a supervisor, or between persons of the same University status.

b. Prohibited conduct. The University of Iowa forbids sexual harassment by any member of the University community.

(1) Definition of sexual harassment. For purposes of this policy, "sexual harassment" means persistent, repetitive, or egregious conduct directed at a specific individual or group of individuals that a reasonable person would interpret, in the full context in which the conduct occurs, as harassment of a sexual nature, when:

(a) Submission to such conduct is made or threatened to be made explicitly or implicitly a term or condition of employment, education, on-campus living environment, or participation in a University activity; or

(b) Submission to or rejection of such conduct is used or threatened to be used as a basis for a decision affecting employment, education, on-campus living environment, or participation in a University activity; or

(c) Such conduct has the purpose or effect of unreasonably interfering with work or educational performance, or of creating an intimidating or hostile environment for employment, education, on-campus living, or participation in a University activity.

(2) Evidence of sexual harassment. Behavior that may constitute, or be evidence of, prohibited sexual harassment includes, but is not limited to, the following:

(a) Physical assault;

(b) Direct or implied threats that submission to sexual advances will be a condition of, or that failure to submit to such advances will adversely affect, employment, work status, promotion, grades, letters of recommendation, or participation in a University activity;

(c) Direct propositions of a sexual nature or persistent unwelcomed efforts to pursue a romantic or sexual relationship, including subtle pressure for sexual activity, an element of which may be repeated staring;

(d) A pattern of unwelcomed sexually explicit gestures, statements, questions, jokes, or anecdotes, whether made physically, orally, in writing, or through electronic media (see also II-19 Acceptable Use of Information Technology Resources);

(e) A pattern of unwelcomed conduct involving:

(i) Unnecessary touching;

(ii) Remarks of a sexual nature about a person's clothing or body;

(iii) Remarks relating to sexual activity or speculations concerning previous sexual experience; or

(iv) Stalking another person who reasonably perceives the stalker is pursuing a romantic and/or sexual relationship. Stalking of a sexual nature that is directed at a specific person that would cause a reasonable person to feel fear.

(f) A display of graphic sexual material (not legitimately related to the subject matter of a course, if one is involved, or to job requirements) in a context where others are not free to avoid the display because of an employment or educational requirement or without surrendering a privilege or opportunity that others may reasonably expect to enjoy in that location;

(g) Domestic/dating violence.

(3) In determining whether alleged conduct constitutes sexual harassment, the investigator will consider all available information and will review the totality of the circumstances, including the context in which the alleged incident(s) occurred. Although repeated incidents generally create a stronger claim of sexual harassment, a single serious incident can be sufficient. Determinations will be made on a case-by-case basis.

(4) Expression that constitutes a protected exercise of an individual's free speech rights under the First and Fourteenth Amendments to the United States Constitution shall not be deemed a violation of this policy.

(5) Isolated behavior of the kind described in II-4.1b(2) that does not rise to the level of sexual harassment but that, if repeated, could rise to that level, demonstrates insensitivity that may warrant remedial measures. Academic or administrative officers who become aware of such behavior in their areas should counsel those who have engaged in the behavior. Such counsel should include a clear statement that the behavior is not acceptable and should cease, information about the potential consequences if such behavior persists, and a recommendation, as appropriate, to undertake an educational program designed to help the person(s) understand the harm caused by the behavior.

c. Definitions of other terms used in this policy:

(1) "Academic or administrative officer" includes the following:

(a) Collegiate deans (including associate deans and assistant deans),

(b) Faculty members with administrative responsibilities at the level of departmental executive officer (DEO) or above,

(c) Any staff member whose primary job responsibility is to provide advice regarding a student's academic pursuits or other University-related activities,

(d) Any faculty or staff member serving as departmental (or collegiate) director or coordinator of undergraduate or graduate studies, or as a director or coordinator of any departmental, collegiate, or University off-campus academic program (including any study-abroad program),

(e) The President, Director of Equal Opportunity and Diversity, Sexual Misconduct Response Coordinator, vice presidents (including assistant and associate vice presidents), and Provost (including assistant and associate provosts), and those persons' designees,

(f) Directors and supervisors in an employment context, including faculty and staff who supervise student employees, in relation to matters involving the employees they supervise (other than Department of Public Safety personnel when receiving criminal complaints or reports), and

(g) Human resource representatives (including all central University Human Resources staff).

(2) "Alleged victim": a person who allegedly has been harassed or subjected to unwelcomed sexual behavior.

(3) "Complainant": the person who makes a report or brings a complaint alleging unwelcomed sexual behavior or sexual harassment, who could be an alleged victim, a third party, or an academic or administrative officer of the University.

(4) "Domestic/dating violence" is coercive, abusive, and/or threatening behavior toward a current or former intimate or romantic partner. These behaviors may include physical, sexual, emotional, economic, or psychological actions or threats of actions that intimidate, manipulate, humiliate, isolate, frighten, terrorize, coerce, threaten, or injure the victim/survivor.

(5) "Graduate assistant": a graduate student employed by the University as a research assistant or teaching assistant.

(6) "Human resources representative": an individual designated as a unit's authority on human resource policies and procedures, and all central University Human Resources staff.

(7) "Instructor": a person engaged in teaching students or in evaluation or supervision, direct or indirect, of a student's academic work.

(8) "Member of the University community": any University student, or faculty or staff member.

(9) "Protected interests": University employment, education, on-campus living, or participation in a University activity.

(10) "Respondent": a person who has been accused of unwelcomed sexual behavior or sexual harassment.

(11) "Specific and credible allegations": allegations that provide factual details such as, but not limited to, time, place, actions, participants, and witnesses. Allegations do not have to be based on firsthand observation of events to be "specific and credible," but direct observation normally results in greater specificity and credibility than indirect knowledge.

(12) "Stalking" includes but is not limited to:

(a) Non-consensual communication including in-person communication, telephone calls, voice messages, text messages, email messages, social networking site postings, instant messages, postings of pictures or information on websites, written letters, gifts, ordering goods or services, or any other communications that are undesired and/or place another person in fear;

(b) Following, pursuing, waiting, or showing up uninvited at a workplace, place of residence, classroom, or other locations frequented by a complainant;

(c) Monitoring online activities, surveillance, and other types of observation, whether by physical proximity or electronic means, attempts to gather information about the complainant;

(d) Vandalism, including attacks on data and equipment;

(e) Direct physical and/or verbal threats against a complainant or a complainant's family, friends, co-workers, and/or classmates, including animal abuse;

(f) Gathering of information about a complainant from family, friends, co-workers, and/or classmates;

(g) Manipulative and controlling behaviors such as threats to harm oneself, or threats to harm someone close to the complainant;

(h) Defamation or slander against the complainant, posting false information about the complainant and/or posing as the complainant to post to websites, newsgroups, blogs, or other sites that allow public contributions, encouraging others to harass the complainant;

(i) Posing as someone other than oneself to initiate transactions, financial credit, loans, or other contractual agreements;

(j) Arranging to meet complainant under false pretenses.

(13) "Supervisor": a person who has authority either: 1) to undertake or recommend tangible employment decisions (those that significantly change an employee's employment status, such as, but not limited to, hiring, firing, promoting, demoting, reviewing performance, reassigning, and compensation decisions) affecting an employee, or 2) to direct the employee's daily work activities.

(14) "Third-party complainant": a person who makes a report or brings a complaint alleging that someone else has been subjected to unwelcomed sexual behavior or sexual harassment.

4.2 Scope of Policy

a. Acts by employees or students. The University's prohibition of sexual harassment applies to acts of faculty, other instructors, staff, or students occurring in one or more of the following circumstances:

(1) on property owned or controlled by the University or by a student organization; or

(2) at any location, including through electronic media such as email or social networking websites, and involving any University faculty, staff, or students, provided that:

(a) the incident occurs at a University-sponsored activity or during an event sponsored by an organization affiliated with the University, including a student organization;

(b) the accused or the complainant was acting in an official capacity for the University during the incident;

(c) the accused or the complainant was conducting University business during the incident;

(d) the conduct has the purpose or reasonably foreseeable effect of substantially interfering with the work or educational performance of UI students, faculty, or staff,

(e) the conduct creates an intimidating or hostile environment for anyone involved in or seeking to participate in University employment, education, on-campus living, or other University-sponsored activities; or

(f) the conduct demonstrates that the individual poses a reasonable threat to campus safety and security.

b. Acts by persons other than employees or students. The University will make reasonable efforts to address sexual harassment of its faculty, other instructors, staff, or students by persons participating in University-related programs or activities, conducting business with the University, or visiting the University, even if such persons are not directly affiliated with the University. Reports of sexual harassment by visitors to campus and other persons not directly affiliated with the University should be made to an academic or administrative officer, to the Office of the Sexual Misconduct Response Coordinator (319-335-6200), or to the Office of Equal Opportunity and Diversity (319-335-0705).

c. In addition to being subject to this policy, students who engage in sexual harassment are subject to discipline under the provisions of the Code of Student Life and IV-2 Sexual Misconduct, Dating/Domestic Violence, or Stalking Involving Students.

4.3 Reports or Complaints

a. Individuals who have experienced unwelcomed sexual behavior or sexual harassment are encouraged to report it, even if they are not certain whether a violation of this policy has occurred.

(1) Allegations of unwelcomed sexual behavior may be addressed through the informal process set out in II-4.5c of this policy even if no prohibited conduct has occurred.

(2) During formal investigations and disciplinary proceedings, the provisions of II-4.1b, including the definition of sexual harassment in that section, will be used to determine whether alleged unwelcomed sexual behavior constitutes sexual harassment in violation of this policy.

(3) Substantial weight will be given to the wishes of the alleged victim when determining how to respond to a report or complaint. However, the University may investigate the allegations, even without the alleged victim's consent, if circumstances warrant (such as when the allegations are particularly egregious or there are multiple reports of harassment involving the same person).

(4) A report or complaint must state specific and credible allegations of sexual harassment to warrant a formal investigation. There is no time limit for making allegations; however, it may be difficult to substantiate the allegations if they are made after significant time has passed. Therefore, prompt reporting is strongly encouraged.

b. Reporting criminal activity.

(1) In addition to violating University policy, some forms of sexual harassment may constitute criminal activity. Individuals are encouraged to inform law enforcement authorities about instances of unwelcomed sexual behavior that involve violence, threatening behavior, or physical assault. Individuals are encouraged to contact law enforcement whenever they believe a crime may have been committed.

(2) The UI Department of Public Safety (319-335-5022) should be notified immediately if individuals believe there is a threat of physical harm to themselves, to other members of the University community, or to anyone on University property or attending a University-sanctioned event.

c. Reports and complaints concerning sexual harassment of students.

(1) Students should make reports or complaints about unwelcomed sexual behavior or sexual harassment to the Office of the Sexual Misconduct Response Coordinator (319-335-6200).

(2) Any member of the University community, or a third party, may also make a report or complaint that a student has been the victim of unwelcomed sexual behavior or sexual harassment by contacting the Office of the Sexual Misconduct Response Coordinator.

(3) No University employee is authorized to investigate or resolve allegations of unwelcomed sexual behavior or sexual harassment of a student without the involvement of the Office of the Sexual Misconduct Response Coordinator.

(4) Students who would like to discuss their situations in a private environment, and share or seek information about a sexual harassment issue without making a report or complaint should consider utilizing any of the options discussed in IV-2 Sexual Misconduct, Dating/Domestic Violence, or Stalking Involving Students, at IV-2.8 Confidentiality, and in paragraph II-4.3g of this policy.

d. Reports and complaints concerning sexual harassment of non-student employees of the University (including any member of the faculty or staff).

(1) Employees should make reports or complaints about unwelcomed sexual behavior or sexual harassment to the Office of the Sexual Misconduct Response Coordinator, to the Office of Equal Opportunity and Diversity, or to any academic or administrative officer of the University, as defined in II-4.1c(1).

(2) Any member of the University community or a third party may also make a report or complaint that an employee has been the victim of unwelcomed sexual behavior or sexual harassment by contacting the Office of the Sexual Misconduct Response Coordinator, the Office of Equal Opportunity and Diversity, or any academic or administrative officer of the University.

(3) No University employee is authorized to investigate or resolve allegations of unwelcomed sexual behavior or sexual harassment of a University employee without the involvement of the Office of the Sexual Misconduct Response Coordinator or the Office of Equal Opportunity and Diversity.

(4) Employees who would like to discuss their situations in a private environment, and share or seek information about a sexual harassment issue without making a report of sexual harassment to the University, should consider utilizing any of the options discussed below in paragraph II-4.3g of this policy.

e. Any academic or administrative officer of the University who observes sexual harassment or unwelcomed sexual behavior, or who becomes aware of allegations of unwelcomed sexual behavior or sexual harassment through the report of a complainant (including a third party) shall take the actions described in this section, even if the alleged victim does not wish any action to be taken.

(1) In any case in which the alleged victim of the behavior is a student the academic or administrative officer must

(a) inform the complainant that certified victim advocacy services are available from the Rape Victim Advocacy Program or the Domestic Violence Intervention Program, and

(b) refer the complainant to the Office of the Sexual Misconduct Response Coordinator, and

(c) notify the Office of the Sexual Misconduct Response Coordinator of the allegations within two business days.

(2) In any case in which the alleged victim is a non-student employee of the University (including any member of the faculty or staff), the academic or administrative officer must

(a) inform the complainant of the options available under this policy (i.e., informal resolution or formal investigation) and that certified victim advocacy services are available from the Rape Victim Advocacy Program or the Domestic Violence Intervention Program and,

(b) provide notice of the allegations to the Office of the Sexual Misconduct Response Coordinator or the Office of Equal Opportunity and Diversity within two business days, and

(c) provide notice of the allegations to the Senior Human Resources Leadership Representative of the unit in which the alleged behavior occurred or, when incidents do not occur within a unit, notify the Senior Human Resources Leadership Representative of the respondent.

f. The Office of the Sexual Misconduct Response Coordinator and the Office of Equal Opportunity and Diversity shall share information about reports and complaints, typically within two business days, and shall provide assistance to the academic or administrative officer and the relevant Senior Human Resources Leadership Representative in evaluating the situation and determining an appropriate course of action, even if the alleged victim has requested that no action be taken.

g. Anyone (victims or others) who wishes to consult with someone about a specific situation without making a report or complaint, or who wishes simply to learn more about enforcement of the Policy on Sexual Harassment, may contact any of the following offices or organizations:

(1) Office of the Ombudsperson (for faculty, other instructors, staff, or students), C108 Seashore Hall;

(2) Employee Assistance Program (for faculty or staff), 121-50 University Services Building;

(3) University Counseling Service (for students), 3223 Westlawn;

(4) Women's Resource and Action Center (for faculty, other instructors, staff, students, or visitors), Bowman House;

(5) Rape Victim Advocacy Program (certified victim advocates)(for faculty, other instructors, staff, or students), Linn Street Place;

(6) Domestic Violence Intervention Program (certified victim advocates) (for faculty, other instructors, staff, students, or visitors), 1105 South Gilbert Court, Iowa City.

These offices and organizations are exempt from the reporting requirements set forth above in II-4.3e of this policy. In addition, staff in these offices and organizations generally have professional or legal obligations to keep communications with their clients confidential. Faculty and staff in other University offices typically do not have confidentiality obligations and may be required to report allegations as described above in II-4.3e.

4.4 Resolution of Allegations Against Students

a. Allegations that a student has engaged in unwelcome sexual behavior or sexual harassment will be handled through the Office of the Dean of Students (319-335-1162), in consultation with the Office of the Sexual Misconduct Response Coordinator (319-335-6200), and in accordance with this policy, the Code of Student Life, IV-2 Sexual Misconduct Involving Students, and the Student Judicial Procedure.

b. The Office of the Sexual Misconduct Response Coordinator is available to advise complainants and alleged victims on the resolution of allegations against students. To the maximum extent possible, the Office of the Sexual Misconduct Response Coordinator and the Office of the Dean of Students shall work together to ensure a coordinated and effective institutional response to reports or complaints alleging that a student has engaged in sexual harassment or unwelcomed sexual behavior.

c. At an alleged victim's request, the Office of the Sexual Misconduct Response Coordinator will assist the victim in addressing a situation involving allegations of unwelcomed sexual behavior or sexual harassment against a student without initiating formal disciplinary action against the student respondent. However, the University may conduct a formal investigation of allegations and pursue disciplinary action, even without an alleged victim's consent, if circumstances warrant.

d. When responding to allegations against an individual who is both a student and a University employee (including graduate assistants), the University may use the processes set out below in II-4.5 of this policy and/or the Student Sexual Misconduct Judicial Procedures, as it considers appropriate in the circumstances.

4.5 Resolution of Allegations Against Employees (Including Faculty, Other Instructors, and Staff Members)

(Amended 7/1/17)

a. Advice on the use of these procedures. The Office of Equal Opportunity and Diversity (319-335-0705) and the Office of the Sexual Misconduct Response Coordinator (319-335-6200) are available to advise complainants and alleged victims on the use of these procedures and to assist persons who receive allegations of unwelcomed sexual behavior or sexual harassment in determining the appropriate response to such allegations. To the maximum extent possible, these offices shall work together to ensure a coordinated and effective institutional response to complaints.

b. Options for resolution of allegations against employees.

(1) Allegations that an employee (including a faculty member, other instructor, or staff member) has engaged in unwelcomed sexual behavior or sexual harassment may be addressed either through the informal resolution process described in II-4.5c, or through the formal investigation and resolution process described below in II-4.5d through II-4.5g.

(2) Limits on the use and scope of informal resolution.

(a) Informal resolution may only be used at the request of the alleged victim. If the alleged victim does not request informal resolution, then a report or complaint must be addressed through the processes set out in II-4.5d through II-4.5f.

(b) Informal resolution pursuant to II-4.5b may not be used when the allegations involve a report or complaint that the respondent committed sexual assault or engaged in any other form of violent behavior.

(c) When allegations are addressed through an informal resolution process, the person(s) alleged to have engaged in unwelcomed sexual behavior or sexual harassment ordinarily will not be informed of the allegations without the consent of the alleged victim unless circumstances require (such as when the allegations are particularly egregious or there are multiple reports of unwelcomed sexual behavior or sexual harassment involving the same person).

(d) When allegations are addressed through an informal resolution process, no disciplinary action may be taken against a person, and there will be no record of the allegations in the person's personnel or student disciplinary file, unless the person is notified of the allegations and given an opportunity to respond.

(e) Disciplinary action taken against a respondent in response to alleged violations of this policy will be governed by the procedures and rules set out below in II-4.5g.

(3) The University may conduct a formal investigation of allegations and pursue disciplinary action, even without an alleged victim's consent and even when the victim prefers informal resolution, if circumstances warrant (such as when the allegations are particularly egregious or there are multiple reports of unwelcomed sexual behavior or sexual harassment involving the same person).

c. Informal resolution of allegations of unwelcomed sexual behavior or sexual harassment by an employee.

(1) If an alleged victim of unwelcomed sexual behavior or sexual harassment requests that the matter be addressed by informal resolution processes:

(a) In addition to taking the steps outlined in II-4.3e above, the academic or administrative officer to whom the victim directs this request will refer the matter to the Senior Human Resources Leadership Representative of the unit in which the alleged behavior occurred. When incidents do not occur within a unit, the matter should be referred to the Senior Human Resources Leadership Representative of the person alleged to have engaged in unwelcomed sexual behavior or sexual harassment. The Senior Human Resources Leadership representative may appoint a designee with the approval of the Office of Equal Opportunity and Diversity. In all other contexts, contact the Office of the Sexual Misconduct Response Coordinator.

(b) The Senior Human Resources Leadership Representative is responsible for assisting the alleged victim in securing a resolution of the matter. When either the alleged victim or the accused person is a faculty member, the relevant dean or vice president may designate an associate dean to work in consultation with the Senior HR Leadership Representative. The Senior Human Resources Leadership Representative and/or relevant associate dean must promptly inform the Office of Equal Opportunity and Diversity (EOD) or the Office of the Sexual Misconduct Response Coordinator that an informal resolution is being attempted at the alleged victim's request.

(c) Alternatively, at the request of the alleged victim, the academic or administrative officer will refer the matter to the Office of Equal Opportunity and Diversity so that the alleged victim may choose either to secure that office's assistance in addressing the situation through informal resolution or to request a formal investigation of the allegations. EOD shall notify the Office of the Sexual Misconduct Response Coordinator if it is assisting in the informal resolution of allegations.

(2) The Senior Human Resources Leadership Representative and/or relevant associate dean shall make reasonable efforts to resolve allegations promptly and effectively, giving consideration to the nature of the allegations and the surrounding circumstances.

(a) Examples of actions that may be taken to resolve allegations on an informal basis include, but are not limited to: educational intervention directly with the accused individual or in the context of unit-wide communications or discussions; direct or facilitated communications between parties to resolve misunderstandings; agreements regarding future behavior of one or all parties; and nondisciplinary changes in a party's work or educational environment.

(b) If there is a supervisory relationship between the complainant and/or victim and the respondent, the appropriate course of action will include development of a plan to avoid any perceived or actual conflict of interest until the complaint is resolved.

(c) The Senior Human Resources Leadership Representative and/or associate dean who is assisting in resolving the matter through information resolution shall take appropriate interim action, which may include those actions described in II-4.5h below, to address the alleged behavior and protect the health or safety of the alleged victim, complainant, and/or witnesses.

(3) If the Senior Human Resources Leadership Representative and/or associate dean is/are unable to resolve the matter within 21 days of receiving a referral of the allegations, the Senior Human Resources Leadership Representative and/or associate dean will notify the Office of Equal Opportunity and Diversity of the status of the matter and refer the complainant to that office for further assistance.

(4) If allegations of unwelcomed sexual behavior or sexual harassment are resolved through informal resolution, a written report must be made after the complaint is resolved using the Office of Equal Opportunity and Diversity Report of Informal Sexual Harassment Complaint Form, which requires disclosure of the employment or student status of the alleged victim(s); the complainant(s) (if other than the alleged victim), and the person(s) accused; the unit(s) with which those persons are affiliated; a summary of the allegations; and a description of the steps taken to resolve the complaint.

In order for the University to respond effectively to situations involving a potential pattern of prohibited conduct by the same individual, if the person alleged to have engaged in unwelcomed sexual behavior or sexual harassment was notified of the existence of the allegations and given an opportunity to respond, the Senior Human Resources Leadership Representative and/or associate dean shall provide the names of the parties to the Office of Equal Opportunity and Diversity. If that person was not informed of the allegations or was not given an opportunity to respond, the Senior Human Resources Representative and/or associate dean shall not provide the names of the parties to the Office of Equal Opportunity and Diversity.

The Office of Equal Opportunity and Diversity shall provide the Office of the Sexual Misconduct Response Coordinator with information about informal resolutions in order to ensure overall coordination of University efforts to address unwelcomed sexual behavior and sexual harassment.

(5) It is the responsibility of the Senior Human Resources Leadership Representative and/or associate dean who facilitates the informal resolution of the allegations to follow up with the parties at a reasonable interval(s) to assess their compliance with the terms of the informal resolution and take appropriate action as warranted based on the parties' level of compliance.

d. Formal investigations of allegations against employees.

(1) If an alleged victim does not request informal resolution of allegations of unwelcomed sexual behavior or sexual harassment, then allegations of unwelcomed sexual behavior or sexual harassment by a faculty or staff member shall be referred to the Office of Equal Opportunity and Diversity (319-335-0705) for appropriate

action. If the complaint states specific and credible allegations of behavior constituting sexual harassment in violation of this policy, then the Office of Equal Opportunity and Diversity will conduct an investigation of the allegations in the complaint pursuant to the procedures set out in this policy. However, if the victim requests that no investigation be conducted, the Office of Equal Opportunity and Diversity will not further investigate the matter unless circumstances require (such as when the allegations are particularly egregious or there are multiple reports of unwelcomed sexual behavior or sexual harassment involving the same person).

(2) The Office of Equal Opportunity and Diversity may also conduct an investigation if efforts to resolve the matter through the informal resolution process were unsuccessful, if the terms of an informal resolution were not followed, or if it determines that an investigation is warranted despite an alleged victim's request for informal resolution.

(3) The purpose of the investigation is to establish whether there is a reasonable basis for believing that a violation of this policy has occurred. In conducting the investigation, the Office of Equal Opportunity and Diversity will make reasonable efforts to interview the alleged victim, the complainant (if other than the alleged victim), and the respondent, and may interview other persons believed to have pertinent factual knowledge, as well as review any relevant documentary information. At all times, the Office of Equal Opportunity and Diversity will take steps to ensure confidentiality to the extent possible.

(4) When the Office of Equal Opportunity and Diversity conducts an investigation, the respondent will be informed of the allegations, the identity of the complainant, and the facts surrounding the allegations. The investigation will afford the respondent an opportunity to respond to the allegations and information provided by the complainant and/or alleged victim, and to provide a statement of the facts as perceived by the respondent.

(5) At the conclusion of the investigation, the Office of Equal Opportunity and Diversity will issue a written finding which will summarize the information gathered and state whether or not there is a reasonable basis for believing that a violation of this policy has occurred.

(a) The written finding normally will be issued within 45 days of when the complaint was filed. When it is not reasonably possible to issue the finding within that time, the Office of Equal Opportunity and Diversity will notify the alleged victim and the respondent that the finding will be delayed and indicate the reasons for the delay.

(b) The alleged victim, the respondent, and the Office of the Sexual Misconduct Response Coordinator will each receive a copy of the written finding, which is to remain confidential as defined below by II-4.5j.

(c) Third-party complainants will be notified only that the proceedings are concluded.

(6) If the Office of Equal Opportunity and Diversity finds a reasonable basis for believing that a violation of this policy has occurred, the matter will be referred to the appropriate administrator for further consideration as outlined in II-4.5e below.

e. Response to finding of the Office of Equal Opportunity and Diversity.

(1) In addition to the Office of the Sexual Misconduct Response Coordinator, the following administrators will receive the finding of the Office of Equal Opportunity and Diversity:

(a) the Office of the Provost, if the respondent is a faculty member or other instructional personnel (except graduate assistants);

(b) the office of the vice president or dean responsible for the unit employing the person charged, if the respondent is a staff member;

(c) the Office of the Dean of the Graduate College, if the respondent is a graduate assistant; and

(d) the Office of the Dean of Students, in cases in which an employee respondent is also a student (including a graduate assistant).

(2) The administrator who receives the finding, as well as the Sexual Misconduct Response Coordinator, will discuss it with the Office of Equal Opportunity and Diversity (EOD) in order to determine, based on EOD's findings and input, appropriate corrective measures and sanctions.

(a) If the respondent is a staff member, the administrator will also consult with the Senior Human Resources Leadership Representative in the unit.

(b) If the respondent is a faculty member or graduate assistant, the administrator will also consult with the appropriate dean and departmental executive officer.

(c) When a respondent staff member, faculty member, or graduate assistant is also a student, the administrator and the Dean of Students will also consult with one another in determining what corrective measures or sanctions should be pursued.

(3) The administrator is responsible for implementing corrective measures and sanctions and may institute formal disciplinary action, consistent with University procedures. The administrator must inform the Office of Equal Opportunity and Diversity (EOD), in writing, of the actions that are taken in response to EOD's findings.

(4) The administrator who reviews and takes action in response to a finding of the Office of Equal Opportunity and Diversity shall inform the alleged victim when action has been taken.

f. Sanctions for violation of the policy.

(1) Violations of the Policy on Sexual Harassment may lead to disciplinary sanctions up to and including termination and/or separation from The University of Iowa. Sanctions for violations of this policy should be commensurate with the nature of the violation and the respondent's disciplinary history.

Those who violate this policy should bear the consequences of their actions, even if factors such as substance abuse or personal problems contribute to misconduct. When the offense is serious, it is appropriate to consider separation from the University even in cases of first offense, and even when the respondent experiences remorse and/or did not intend to cause the resulting degree of harm.

(2) In addition to other disciplinary action, persons who are found to have violated this policy may be required to participate in group counseling or personal therapy sessions, complete community service, enroll in a specific academic course, attend an educational workshop, and/or make restitution for economic damages caused by their behavior.

When the respondent is a faculty or staff member, the Employee Assistance Program (121-50 University Services Building) is available to assist with locating appropriate resources.

(3) It is the responsibility of the appropriate administrator to follow up with the parties at a reasonable interval(s) to assess their compliance with the disciplinary and/or remedial sanctions imposed. More serious sanctions, up to and including termination of employment or separation from the University, may be imposed in the event

that the respondent fails to comply with the sanctions initially imposed.

g. Formal disciplinary action. Formal disciplinary action taken in response to alleged violations of this policy by: In some cases, an individual may be subject to discipline in multiple capacities (e.g., as a staff member and as a student). In such cases, the relevant administrators will cooperate in determining appropriate sanctions and whether and when to pursue formal disciplinary action.

(1) faculty members will be governed by the III-29 Faculty Dispute Procedures and that portion of those procedures dealing with faculty ethics (see III-29.7).

(2) staff members will be governed by applicable Regent Merit System Rules and University policies, including III-16 Ethics and Responsibilities for Staff, and the applicable grievance procedures, including III-28 Conflict Management Resources for University Staff;

(3) graduate assistants, when dismissal is sought, will be governed by the procedure for dismissal of graduate assistants (see III-12.4). When disciplinary action other than dismissal is taken by the Dean of the Graduate College, a graduate assistant may appeal through those procedures established for graduate assistant employees;

(4) students will be governed by the Student Judicial Procedure, this policy, the Code of Student Life, and IV-2 Sexual Misconduct Involving Students.

h. Protection of alleged victims, complainants, and others.

(1) Alleged victims will be informed of relevant procedural steps taken during the investigation and any interim protective measures taken. An alleged victim may be accompanied by a victim advocate and other support persons during the investigation process if the alleged victim so desires.

(2) Throughout the investigation and resolution of a complaint, steps will be taken to protect alleged victims, complainants, witnesses, and others from harm caused by continuation of the alleged harassing behavior.

(3) Retaliation against alleged victims, complainants, and/or witnesses who provide information during an investigation pursuant to this policy is prohibited by II-11 Anti-Retaliation. Reasonable action will be taken to assure that alleged victims, complainants, and/or witnesses will suffer no retaliation as the result of their activities with regard to the process.

(4) Any retaliation against alleged victims, complainants, or witnesses should be reported to the Office of Equal Opportunity and Diversity for further investigation. Retaliation may result in disciplinary action against the person committing the retaliatory act(s).

(5) Steps that may be taken to protect alleged victims, complainants, witnesses, and others from continued harassment and/or retaliation might include:

(a) lateral transfers of one or more of the parties in an employment setting and a comparable move if a classroom setting is involved, and

(b) arrangements that academic and/or employment evaluations concerning the complainant or others be made by an appropriate individual other than the respondent.

(6) In extraordinary circumstances, the Provost, a dean, a DEO, or any vice president may, at any time during or after an investigation of allegations of sexual harassment, suspend or partially restrict from employment any employee accused of sexual harassment if the Provost, dean, DEO, or vice president finds that it is reasonably certain that:

(a) the employee engaged in sexual harassment in violation of this policy, and

(b) serious and immediate harm will ensue if the person continues his or her employment. Similarly, if the respondent is a student, interim sanctions may be imposed pursuant to Section 10 of the Student Judicial Procedure.

i. Protection of respondents.

(1) Prohibition against knowingly false allegations. This policy shall not be used to bring knowingly false or malicious allegations of unwelcomed sexual behavior or sexual harassment. Making such allegations may subject the complaining party to remedial and/or disciplinary action up to and including termination or separation from the University. Any such disciplinary action will be initiated by the appropriate administrator overseeing the complainant(s).

(2) In the event that allegations are not substantiated, reasonable steps will be taken to restore the reputation of the respondent if it was damaged by the proceeding. The respondent may consult with the Office of Equal Opportunity and Diversity regarding reasonable steps to address such concerns.

(3) Confidential resources. Persons who are accused of sexual harassment may discuss their situations privately with counselors at University Counseling Service (for students), with counselors at the Employee Assistance Program (for faculty or staff), or with staff at the University's Office of the Ombudsperson (faculty, staff, and students). Conversations with University counselors and staff at these offices will not be reported to anyone else in the University except in cases of a threat of imminent physical harm. However, statements made to employees in these offices will not always be legally confidential. When seeking private advice and support from these offices or any University employee, persons should always confirm whether legal confidentiality applies to their communications with the person to whom they are speaking.

j. Confidentiality.

(1) In order to empower community members to voice concerns and report unwelcomed sexual behavior or sexual harassment, the confidentiality of all parties will be protected to the greatest extent possible. However, confidentiality cannot be guaranteed in all cases, and academic and administrative officers of the university are expected to take some action once they are made aware that unwelcomed sexual behavior or sexual harassment in violation of this policy may be occurring.

(2) Anyone (victims or others) who wishes to consult with someone about a specific situation without making a report of unwelcomed sexual behavior or sexual harassment, or who wishes simply to learn more about enforcement of the policy, may contact any of the following offices or organizations:

(a) Office of the Ombudsperson (for faculty, other instructors, staff, or students), C108 Seashore Hall;

(b) Employee Assistance Program (for faculty or staff), 121-50 University Services Building;

(c) University Counseling Service (for students), 3223 Westlawn;

(d) Women's Resource and Action Center (for faculty, other instructors, staff, students, or visitors), Bowman House;

(e) Rape Victim Advocacy Program (certified victim advocates)(for faculty, other instructors, staff, students, or visitors); Linn Street Place;

(f) Domestic Violence Intervention Program (certified victim advocates) (for faculty, other instructors, staff, students, or visitors), 1105 South Gilbert Court,

Iowa City.

(3) Alleged victims, third-party complainants, and respondents are expected to maintain confidentiality as well. They are not prohibited from discussing the situation outside of the work or educational environment. However, the matter should not be discussed in the work or educational environment.

(4) Dissemination of documents relating to reports or complaints of unwelcomed sexual behavior or sexual harassment and/or to the investigation of such reports or complaints, other than as necessary to pursue an appeal, grievance, or other legal or administrative proceeding, is prohibited.

(5) Failure to maintain confidentiality by a respondent may be considered to be a form of retaliation in violation of II-4.5h. Failure to maintain confidentiality by any party (alleged victim, third party complainant, or respondent) may result in disciplinary action.

4.6 Educational Programs

a. Education as a key element of University policy.

(1) Educational efforts are essential to the establishment of a campus milieu that is free of sexual harassment. There are at least four goals to be achieved through education:

(a) ensuring that alleged victims (and potential victims) are aware of their rights;

(b) notifying individuals of conduct that is proscribed;

(c) informing administrators about the proper way to address complaints of violations of this policy; and

(d) helping educate the community about the problems this policy addresses.

(2) Mandatory sexual harassment prevention education.

(a) All faculty, staff, and students meeting the following criteria are required to complete an approved course offered by the University on sexual harassment prevention.

(i) Faculty: All faculty, any title, who hold at least a 50 percent appointment,

(ii) Staff (P&S): All regular staff, employed at least 50 percent or greater time,

(iii) Staff (merit): All regular staff, employed at least 50 percent or greater time,

(iv) Medical residents and fellows: All who hold at least a 50 percent appointment during the academic year,

(v) Postdoctoral scholars/fellows: All who hold at least a 50 percent appointment during the academic year,

(vi) Students (graduate/professional): All graduate/professional students who hold a teaching assistantship for a period of one semester or longer, and any other students as determined by the Provost,

(vii) Students (undergraduate): University housing resident assistants, and any other students as determined by the Office of the Vice President for Student Life.

(b) Current faculty/staff: All current faculty and staff members meeting the criteria set out in paragraph 2(a) above are required to participate in an approved sexual harassment prevention course every three years (i.e., three calendar years from the date of their most recent training), unless more frequent training is required by the employing unit or college.

(c) New hires: All faculty and regular staff members, who hold a 50 percent or greater appointment, shall receive sexual harassment prevention education in the first six months of their employment (except for those whose positions fall under the definition of "academic and administrative officers"). Options for satisfying this requirement may include: instructor-led sessions, specifically designated online courses, and/or annual new faculty orientations.

(d) Academic and administrative officers (AAOs): All faculty/staff hired into and/or promoted to a position defined by II-4.1c(1) of this policy as an academic/administrative officer (e.g., vice president, dean, DEO, student advisor, supervisor) shall complete an approved sexual harassment prevention course for supervisors within the first two months of their appointment. Academic and administrative officers are responsible for knowing and understanding the contents of this policy and the procedures for processing complaints brought to them pursuant to this policy.

(e) The Office of Equal Opportunity and Diversity, in consultation with the Office of the Provost, shall provide centralized oversight and monitoring of compliance with this mandatory sexual harassment prevention education requirement on an annual basis.

(3) To achieve the goals set forth in paragraph (1) above, the Office of Equal Opportunity and Diversity offers programs designed to educate the University community about sexual harassment prevention. The Office of Equal Opportunity and Diversity also offers programs designed to inform those whose behavior does not rise to the level of a violation of this policy as defined in II-4.1b, but if repeated could rise to the level of a violation, of the problems they create by their insensitive conduct. Educational programs may be recommended for those described in II-4.1b(5) and may be an element in the resolution of a matter. Educational programs and/or individual training also may be mandated for persons found to have violated this policy.

b. Preparation and dissemination of information. The Office of Equal Opportunity and Diversity is charged with distributing information about this policy to all current members of the University community and to all those who join the community in the future. An annual notification from the Office of Equal Opportunity and Diversity is provided to all faculty and staff to remind them of the contents of this policy. Information about this policy will be made available continually at appropriate campus centers and offices and on the University of Iowa website.

c. Review of policy. This policy will be reviewed within three years after the latest revisions are implemented and revised as appropriate. This policy is subject to review at any other time deemed necessary by the President, the General Counsel, the Chief Diversity Officer, or the Sexual Misconduct Response Coordinator.

(See also II-5 Consensual Relationships Involving Students; IV-2 Sexual Misconduct Involving Students, Including Sexual Assault and Sexual Harassment.)

II. Community Policies

Chapter 5 – Consensual Relationships Involving Students

(President 7/28/87; amended 7/1/02; 9/20/10; 1/14; 7/1/17)

Note: This chapter is one of several that address conflicts of interest of various types at The University of Iowa. Others include: II-18 Conflicts of Commitment and Interest, which addresses time conflicts, role conflicts in the workplace, and financial conflicts of interest; and III-8 Conflict of Interest in Employment (Nepotism), which addresses role conflicts when there is a direct reporting line between two employees. See also II-18.7 Other University Policies Related to Conflict of Interest for a complete list of policies that address or are related to conflicts of interest.

5.1 Rationale

The integrity of the University's educational mission is promoted by professionalism that derives from mutual trust and respect in instructor-student relationships. Similarly, the University is committed to the principle of protecting the integrity and objectivity of its staff members in the performance of their University duties. It is therefore fundamental to the University's overall mission that the professional responsibilities of its instructors be carried out in an atmosphere that is free of conflicts of interest that compromise these principles.

Romantic and/or sexual relationships where one member of the University community has supervisory or other evaluative responsibility for the other create conflicts of interest and perceptions of undue advantage. There are also special risks in any sexual or romantic relationship between individuals in inherently unequal positions of power (such as teacher and student, supervisor and employee). Such relationships may undermine the real or perceived integrity of the supervision and evaluation provided, and the trust inherent particularly in the instructor-student relationship. They may, moreover, be less consensual than the individual whose position confers power believes. The relationship is likely to be perceived in different ways by each of the parties to it, especially in retrospect.

Moreover, such relationships may harm or injure others in the academic or work environment. Relationships in which one party is in a position to review the work or influence the career of the other may provide grounds for complaint when that relationship gives, or creates the appearance of, undue access or advantage to the person involved in the relationship, or when it restricts opportunities or creates a hostile environment for others.

Such relationships also have the potential for other adverse consequences, including the filing of charges of sexual harassment and/or retaliation under II-4 Sexual Harassment if, for example, one party to the relationship wishes to terminate the relationship to the other party's objection. In those circumstances when sexual harassment is alleged as the result of a romantic and/or sexual relationship, the existence of the relationship is not a per se violation of the Policy on Sexual Harassment. However, the apparent consensual nature of the relationship is inherently suspect due to the fundamental asymmetry of power in the relationship and it thus may be difficult to establish consent as a defense to such a charge. Even when both parties consented at the outset to a romantic involvement, this past consent does not remove grounds for or preclude a charge or subsequent finding of sexual harassment based upon subsequent unwelcome conduct.

Sexual or romantic relationships between a student and a faculty or staff member who functions in an instructional context with the student are prohibited by this policy. Other relationships, such as a relationship between a faculty member and a student in the same department or college but where no instructional context exists, while not prohibited, may present the appearance of a conflict of interest or may run the risk of developing into an actual conflict of interest which would place the relationship in the prohibited category.

This policy applies to consensual romantic and/or sexual relationships between individuals of the same sex or of the opposite sex. Regardless of who initiates the relationship, the instructor is responsible for complying with this policy.

5.2 Definitions

For the purposes of this policy only, the terms set forth below are defined as follows:

a. "Instructor" means all those individuals, paid or unpaid, who teach, coach, evaluate, supervise, allocate financial aid to, or guide research by students in the instructional context as defined below, including but not limited to:

(1) faculty;

(2) graduate students with teaching responsibilities;

(3) academic advisors;

(4) coaches;

(5) residence hall professional staff; and

(6) other instructional personnel.

b. "Student" means all individuals who receive instruction under the auspices of The University of Iowa, including but not limited to:

(1) those who have matriculated into an educational program at the University, whether or not the student is currently enrolled (e.g., students who have matriculated but have not yet registered for classes, students who decide not to enroll for a period of time, and doctoral degree candidates who are not registered);

(2) postdoctoral fellows;

(3) medical residents; and

(4) participants served by internships, practicum experience, outreach, and summer programs and camps.

c. "Instructional" or "instructional context" means a context that involves instruction or evaluation or supervision, direct or indirect, of a student's academic work or participation in University programs. These terms also include employment situations where the primary motivation for participation by the employee is instructional. Such situations include, but are not limited to, the employment of medical residents, postdoctoral fellows, teaching assistants, and student research assistants.

5.3 Prohibited Relationships — Policy Statement

For the foregoing reasons in II-5.1, any romantic and/or sexual relationship between an instructor and a student in an instructional context is prohibited at The University of Iowa. This means that an instructor who is currently instructing, evaluating, or supervising, directly or indirectly, a student's academic work or participation in a University program will not propose or

enter into a romantic and/or sexual relationship with the student. Moreover, an instructor who has a pre-existing romantic and/or sexual relationship with a student is prohibited from instructing, evaluating, or supervising, directly or indirectly, his or her partner's academic work or participation in a University program. For definitions of "instructor," "student," and "instructional context," refer to II-5.2 above.

This policy applies only to relationships involving students. However, romantic and/or sexual relationships in other contexts — between faculty members, between faculty and staff, or between staff members, where one person supervises the other — also may be problematic, and are governed by III-8 Conflict of Interest in Employment (Nepotism). Complaints alleging sexual harassment directed at a student, faculty, or staff member are resolved under II-4 Sexual Harassment. Because the Policy on Sexual Harassment prohibits unwanted behavior of a sexual nature, the scope of the Policy on Sexual Harassment and the scope of this Policy on Consensual Relationships are mutually exclusive. In those cases where a complainant alleges both unwanted behavior of a sexual nature and consensual sexual relations within an instructional context, the two complaints are considered separate allegations and ordinarily are resolved consecutively rather than concurrently, starting with the sexual harassment complaint, which must be investigated under the procedures set forth in the Policy on Sexual Harassment before the consensual relationships complaint is considered.

5.4 Examples of Prohibited Relationships Between Instructors and Students

The following examples are provided for illustrative purposes only. This is not intended to be an exhaustive list of situations in which this policy applies.

a. Student B is in a class taught by Professor A. The Policy on Consensual Relationships prohibits a romantic or sexual relationship between these two parties in the instructional context. When the class has concluded and Professor A has submitted the final grades, this policy continues to prohibit Professor A from engaging in a romantic or sexual relationship with Student B, if Professor A continues to instruct, evaluate, or supervise, directly or indirectly, Student B's academic work or participation in a University program.

b. Professor A and Student B, a graduate student in Professor A's department, are involved in a romantic relationship. Because they are involved in a romantic relationship, this policy prohibits Professor A from instructing, evaluating, or supervising, directly or indirectly, Student A's academic work or participation in a University program.

c. Graduate Student C and Graduate Student D are married and enrolled in the same academic program. This policy prohibits D from enrolling in a class taught by C (as instructor, teaching assistant, or grader) and vice-versa. If C (or D) were to complete his or her graduate program and acquire the status of faculty member (or other instructional personnel) in the same department, this policy would apply as in paragraph b above.

d. Graduate Student C has been working in Professor A's research laboratory since C enrolled at The University of Iowa. In order to comply with the Policy on Consensual Relationships, Professor A planned to wait until C had completed the graduate degree program before considering a romantic relationship with C. If Student C were to receive a postdoctorate research appointment, this policy would still prohibit Professor A from becoming involved in a romantic relationship with Student C if Professor A is involved in instructing, evaluating, or supervising, directly or indirectly, Student C's postdoctorate research work or participation in a University program.

e. Coach A is romantically attracted to Student B, an athlete (scholarship or walk-on) on the team for which Coach A is an assistant coach. Under this policy, Coach A is considered to be an instructor and is prohibited from engaging in a romantic or sexual relationship with any member of the team coached or otherwise overseen.

f. Professor A from Department Z is dating Student B, who is majoring in Department Y. Student B is not enrolled in a course taught by Professor A. However, Student B has applied for a collegiate scholarship that is awarded by a committee on which Professor A is serving. Under this policy, Professor A must self-disclose the relationship to the scholarship committee chair and is prohibited from evaluating Student B's scholarship application.

g. Student X, who is enrolled in a course taught by Professor A, schedules a meeting with the DEO of Professor A's department in order to report that Professor A is apparently engaged in a consensual relationship with another student (Student B) in the class. During the interview, Student X tells the DEO that he or she overheard Professor A tell Student B that Professor A would give Student B an "A" grade for the course if Student B agreed to have sexual relations with Professor A. The DEO realizes that the apparent "quid pro quo" fact pattern alleges a violation of the Policy on Sexual Harassment, which takes precedence over the Policy on Consensual Relationships allegations. Thus, according to University policy, the DEO is required to investigate first Student X's complaint under the Policy on Sexual Harassment procedures. Once the sexual harassment complaint is resolved, the consensual relationships allegation is revisited and resolved under the Policy on Consensual Relationships procedures.

These examples illustrate the application of this policy, which (as stated in II-5.3 above) applies only to relationships involving students. However, romantic and/or sexual relationships in other contexts may also be problematic and are governed by III-8 Conflict of Interest in Employment.

5.5 Procedures

(Amended 7/1/17)

a. Self-disclosure by instructor.

(1) The instructor is expected to make timely notification when an instructional context includes both the instructor and a student with whom the instructor has a romantic and/or sexual relationship. Such notification may be made to any of the following recipients:

(a) the neutral supervisor of the instructor;

(b) the DEO/director of the department;

(c) the dean/vice president of the college/division in which the instructor is employed; or

(d) the Office of Equal Opportunity and Diversity.

b. Bringing a complaint.

(1) A complaint alleging a violation of this policy may be brought by any person, including a third party.

(2) In addition, any of the following offices may initiate a complaint:

(a) the Office of the Provost of the University (for relationships involving faculty);

(b) University Human Resources or (for relationships involving staff); or

(c) the Office of Equal Opportunity and Diversity.

(3) Complaints alleging a violation of this policy may be made to any of the following recipients:

(a) a neutral supervisor of the instructor;

(b) the DEO/director of the department;

(c) the dean/vice president of the college/division in which the instructor is employed;

(d) the Office of the Provost; or

(e) the Office of Equal Opportunity and Diversity.

c. Resolution of a complaint or a self-disclosure by an instructor.

(1) Once a recipient receives a complaint or a self-disclosure, the recipient determines whether the policy applies. The instructor is given an opportunity to respond to the allegation if there is a complaint.

(2) If the recipient determines that the policy applies to the particular instructional context, then a neutral supervisor develops a plan for management of the instructional context that ends the evaluative, supervisory and, where possible, the instructional functions causing the conflict.

(3) Significant or repeated violations of this policy may result in discipline imposed on the instructor in addition to or in lieu of the management plan.

(a) In those cases where the instructor is a faculty member, discipline shall be imposed only after consultation with the Office of the Provost. Such discipline may involve III-29 Faculty Dispute Procedures and the portion of the procedures dealing with faculty ethics (III-29.7).

(b) In those cases where the instructor is a staff member, discipline shall be imposed only after consultation with the respective Senior HR Leadership Representative. Such discipline may relate to III-16 Ethics and Responsibilities for University Staff and utilize the applicable grievance procedures, including III-28 Conflict Management Resources for University Staff.

(c) In those cases where the instructor is a graduate assistant, discipline related to their employment shall be imposed by the dean of the employing college and only after consultation with the Office of the Dean of the Graduate College. Discipline related to student status shall be imposed by the Office of the Dean of Students, after consultation with the Office of the Dean of the Graduate College.

(4) A statement of the determination of a policy application, a copy of the plan, and a proposal for dissemination is directed to the appropriate office designated below:

(a) In those cases where the instructor is a faculty member, the plan is forwarded to the DEO, dean, and Office of the Provost.

(b) In those cases where the instructor is a staff member, the plan is forwarded to the Senior Human Resources Leadership Representative and University Human Resources.

(c) In those cases where the instructor is a graduate assistant, the plan is forwarded to the dean of the employing college, the Graduate College, the Office of the Dean of Students, and the Office of the Vice President for Student Life.

(5) Upon approval, a copy of the plan is directed to the instructor.

(6) The person responsible for development of the plan reviews it annually and reports to the respective office as designated above.

(7) The instructor may take any of the following actions:

(a) comply with the plan, in which case the matter is resolved; or

(b) challenge the determination that a policy violation occurred or any discipline imposed by:

(i) accessing III-29 Faculty Dispute Procedures and the portion of the procedures dealing with faculty ethics (III-29.7), when the instructor is a faculty member.

(ii) accessing applicable University policies, including III-16 Ethics and Responsibilities for University Staff, and the applicable grievance procedures, including III-28 Conflict Management Resources for University Staff, when the instructor is a staff member.

(iii) accessing the portion of the procedures dealing with graduate assistant employment (III-12.4) for employment related discipline, and the applicable procedures in the Code of Student Life for discipline related to student status, when the instructor is a graduate assistant.

(8) The recipient notifies the complainant that a management plan is in place or that no policy violation occurred.

5.6 Confidentiality

a. In order to encourage instructors to self-disclose consensual relationships prohibited under this policy and to empower members of the University community to voice concerns and bring complaints, the University will make every reasonable effort to conduct all proceedings in a manner that will protect the confidentiality of all parties. The University of Iowa cannot guarantee confidentiality in all cases, however.

b. Anyone (student or others) who wishes to consult with someone about a specific situation on a confidential basis or to learn more about enforcement of the policy may contact any of the following offices or organizations:

(1) Office of the Ombudsperson (for faculty, staff, or students), C108 Seashore Hall;

(2) Employee Assistance Program (for faculty or staff), 121-50 University Services Building;

(3) University Counseling Service (for students), 3223 Westlawn;

(4) Women's Resource and Action Center (for faculty, staff, or students), Bowman House.

c. The University treats as confidential information received in the course of resolving a complaint. Parties to a complaint are expected to observe the same standard of strict confidentiality. This practice is in the best interests of all parties to the complaint. A party's failure to maintain confidentiality may be regarded as retaliation. Reasonable effort will be made to maintain the confidentiality of the persons who assist the resolution of alleged violations of this policy. Nevertheless, such individuals must understand that it may become necessary to disclose their identities, either directly or indirectly, in the course of resolving the complaint.

Dissemination of documents relating to a complaint, other than as necessary to pursue an appeal, grievance, or other legal or administrative proceeding, is prohibited and may lead to disciplinary action.

d. To the extent possible, all information received in connection with a management plan will be treated as confidential except to the extent necessary to disclose particulars in the course of its planning and/or implementation, as approved according to II-5.5c(4) above. All community members involved in the management plan process should observe the same standard of discretion and respect for the reputation of everyone involved.

(See also II-4 Sexual Harassment.)

II. Community Policies

Chapter 6 – Nondiscrimination Statement

(Amended 9/98; 6/04; 12/06; 5/15)

The University of Iowa prohibits discrimination in employment, educational programs, and activities on the basis of race, creed, color, religion, national origin, age, sex, pregnancy, disability, genetic information, status as a U.S. veteran, service in the U.S. military, sexual orientation, gender identity, associational preferences, or any other classification that deprives the person of consideration as an individual. The university also affirms its commitment to providing equal opportunities and equal access to university facilities. For additional information on nondiscrimination policies, contact the Director, Office of Equal Opportunity and Diversity, the University of Iowa, 202 Jessup Hall, Iowa City, IA 52242-1316, 319-335-0705 (voice), 319-335-0697 (TDD), diversity@uiowa.edu.

II. Community Policies

Chapter 7 – Disability Protection Policy and Accessibility Statement

(Amended 3/04)

7.1 Policy

a. General. The University of Iowa, as authorized by Section 503 of the Rehabilitation Act of 1973 and the Vietnam Era Veterans Readjustment Assistance Act of 1974, shall take affirmative steps to employ and advance the employment of qualified individuals with disabilities and qualified disabled veterans and veterans of the Vietnam era at all levels of employment. The affirmative action policy applies to, but is not limited to, the following employment practices:

(1) Hiring;

(2) Upgrading;

(3) Demotion;

(4) Transfer;

(5) Recruitment;

(6) Recruitment advertising;

(7) Layoff;

(8) Termination;

(9) Rates of pay/other forms of compensation; and

(10) Selection for training (including apprenticeship).

b. The University of Iowa endeavors to make reasonable accommodations for the functional limitations of applicants, employees, and students with disabilities and disabled veterans pursuant to applicable federal and state law. Applicants and employees with disabilities seeking accommodations should contact Faculty and Staff Disability Services (https://hr.uiowa.edu/fsds/). Students with disabilities should contact Student Disability Services (https://sds.studentlife.uiowa.edu/students/).

c. Applicants, employees, and students with disabilities at The University of Iowa are protected from coercion, retaliation, interferences, or discrimination for filing a complaint or assisting in an investigation of a complaint under the aforementioned acts. Inquiries and complaints should be directed to the Office of Equal Opportunity and Diversity for a confidential investigation.

d. Disabled applicants/employees, disabled veterans, or veterans of the Vietnam Era desiring more information should contact the Office of Equal Opportunity and Diversity. To obtain a copy of the Affirmative Action Plan for Persons with Disabilities, Disabled Veterans, and Veterans of the Vietnam Era, see https://diversity.uiowa.edu/office/equal-opportunity-and-diversity.

7.2 Accessibility Statement

In compliance with the University's obligations under applicable federal and state law, all institutional and departmental publications that describe or invite public participation in programs at the University are to contain the following statement:

"Individuals with disabilities are encouraged to attend all University of Iowa-sponsored events. If you are a person with a disability who requires a reasonable accommodation in order to participate in this program, please contact (insert: the sponsoring department or contact person) in advance at (insert: telephone number)."

The sponsoring department name or contact person and telephone number must be incorporated into the statement, as it is the responsibility of the sponsoring department which is most familiar with the event to make the necessary reasonable accommodations.

II. Community Policies

Chapter 8 – Affirmative Action and Equal Employment Opportunity Statement of Policy and Purpose; Statement on Diversity

(Amended 6/04)

8.1 Policy

The University of Iowa is committed to the principle of equality of opportunity for all persons. The purpose of the Affirmative Action Program is to reaffirm and ensure that this principle is applied to the recruitment, appointment, and promotion of persons in all employment classifications. The University of Iowa will continue to comply with federal and state regulations and to work cooperatively with governmental and community organizations in ensuring equal employment opportunities and affirmative action.

The ultimate responsibility for equal employment opportunity and affirmative action at The University of Iowa lies with the Board of Regents, State of Iowa, and the President of the University. Implementation and day-to-day administration of the policies are responsibilities of the Assistant to the President and Director of Equal Opportunity and Diversity, the Vice President for Human Resources, the Associate Provost for Faculty, and the Associate Provost for Health Sciences. Goals and objectives are attained, however, through the full cooperation, support, and good faith efforts of all deans, directors, departmental executive officers, supervisors, and others responsible for human resources decisions.

8.2 Statement on Diversity

The University of Iowa values diversity among students, faculty, and staff, and regards Equal Employment Opportunity and Affirmative Action as tools to achieve diversity. The University believes that a rich diversity of people and the many points of view they bring serve to enhance the quality of the educational experience at The University of Iowa.

See also III-9.6 Affirmative Action Employment Guidelines.

II. Community Policies

Chapter 9 – (Reserved for future use)

II. Community Policies

Chapter 10 – Violence

(President 1/92; amended 4/02; 7/04; 3/07; 8/13; 5/15; 7/15; 7/1/17)

For additional policies and procedures that apply to sexual misconduct involving students, including sexual violence, see IV-2 Sexual Misconduct, Dating/Domestic Violence, or Stalking Involving Students.

This chapter specifically addresses violent acts committed by University community members. There are a number of other University policies that may be applicable in a given situation, and these should also be consulted to determine which policy or policies would most effectively address any behavior of concern. These additional policies can be found below in II-10.15 Other University of Iowa Policies Related to Behavioral Expectations.

10.1 General

(Amended 3/07; 7/15)

a. **In an emergency:** If a member of the University community believes that he or she, or someone else, is in immediate physical danger, he or she should call 911 or contact the Department of Public Safety, 319-335-5022.

b. In other situations: Appropriate University officials are available to coordinate a response to concerns of violence or verbal threats, whether current or potential, as indicated below.

(1) For student concerns, assistance is available through:

(a) the Office of the Dean of Students, 135 Iowa Memorial Union, 319-335-1162, or

(b) the Department of Public Safety, 808 University Capitol Centre, 319-335-5022.

(2) For faculty and staff concerns, assistance is available through:

(a) Employee Assistance Program, 121-50 University Services Building, 319-335-2085, or

(b) the Department of Public Safety, 808 University Capitol Centre, 319-335-5022, or

(c) the Threat Assessment Team, 121-50 University Services Building, 319-384-2955.

(3) For any complaint believed to be related to sexual harassment or discrimination, assistance is available through the Office of Equal Opportunity and Diversity, 202 Jessup Hall, 319-335-0705.

10.2 Rationale

(Amended 3/07; 5/15)

The faculty, staff, and students of The University of Iowa make up a community whose common commitment is to learning. This commitment requires that the highest value be placed on the use of reason and that violence involving the University community be renounced as inimical to its goals. Violence, whether actual or threatened, destroys the mutual trust which must bind members of the community if they are to be successful in pursuing truth. The University therefore wishes to make clear that it considers acts and threats of violence to constitute serious violations of University policy, because they may undermine the University's status as a community of learning. Particularly heinous is violence which harms or demeans members of the community because of personal characteristics such as race, creed, color, religion, national origin, age, sex, pregnancy, disability, genetic information, status as a U.S. veteran, service in the U.S. military, sexual orientation, gender identity, associational preferences, or any other classification that deprives the person of consideration as an individual.

10.3 Definitions

(Amended 3/07; 7/15)

Terms used in this policy:

a. "Academic or administrative officer" includes the following:

(1) Collegiate deans (including associate deans and assistant deans);

(2) Faculty members with administrative responsibilities at the level of departmental executive officer (DEO) or above;

(3) Any staff member whose primary job responsibility is to provide advice regarding a student's academic pursuits;

(4) A faculty member serving as departmental (or collegiate) director of undergraduate or graduate studies;

(5) The President, Special Assistant to the President for Equal Opportunity and Diversity, vice presidents (including assistant and associate vice presidents), and Executive Vice President and Provost (including assistant, associate, and vice provosts), and those persons' designees;

(6) Directors and supervisors in an employment context, other than Department of Public Safety personnel when receiving criminal complaints or reports; and

(7) Human resource representatives.

b. "Alleged victim": a person who allegedly has been harmed in violation of this policy.

c. "Complainant": the person who brings a complaint of violation of this policy, who could be an alleged victim, a third party, or an academic or administrative officer of the University.

d. "Domestic/dating violence" is coercive, abusive, and/or threatening behavior toward a current or former intimate or romantic partner. These behaviors may include physical, sexual, emotional, economic, or psychological actions or threats of actions that intimidate, manipulate, humiliate, isolate, frighten, terrorize, coerce, threaten, or injure the victim/survivor.

e. "Graduate assistant": a graduate student employed by the University as a research assistant or teaching assistant.

f. "Human resources representative": the individual designated as departmental authority on human resource policies and procedures, and all central human resources staff.

g. "Member of the University community": any University student, faculty, or staff member.

h. "Protected interests": University employment, education, on-campus living, or participation in a University activity.

i. "Respondent": a person who has been accused of violence in a formal complaint.

j. "Specific and credible allegations": allegations that provide factual details such as, but not limited to, time, place, actions, participants, and witnesses. Allegations do not necessarily have to be based on first-hand observation of events to be "specific and credible," but direct observation normally results in greater specificity and credibility than indirect knowledge.

k. "Stalking": a course of conduct that is directed at a specific person that would cause a reasonable person to feel fear.

l. "Supervisor": a person who has authority to either: 1) undertake or recommend tangible employment decisions (those that significantly change an employee's employment status, such as, but not limited to, hiring, firing, promoting, demoting, reassigning, and compensation decisions) affecting an employee; or 2) direct the employee's daily work activities.

m. "Third-party complainant": a person who brings a complaint alleging that someone else has been harmed or demeaned in violation of this policy.

10.4 Scope of Policy

(Amended 3/07)

a. Acts by employees and students. This policy covers acts of University community members occurring in one or more of the following circumstances:

(1) on property owned or controlled by the University or by a student organization; or

(2) at any location and involving any University faculty, staff, or students, provided that:

(a) the incident occurs at a University-sponsored activity;

(b) the accused or the complainant was acting in an official capacity for the University during the incident;

(c) the accused or the complainant was conducting University business during the incident;

(d) the conduct has the purpose or reasonably foreseeable effect of unreasonably interfering with a UI student or UI staff or faculty member's protected interests; or

(e) the conduct demonstrates that the individual poses a reasonable threat to campus safety and security.

b. Acts by visitors to campus. The University will make reasonable efforts to prevent and address harassment of its faculty, staff, or students by persons conducting business with or visiting the University, even though such persons are not directly affiliated with the University.

10.5 Prohibited Behavior

(Amended 3/07; 8/13; 7/15)

a. Any one of these acts, when committed under one of the circumstances described in II-10.4 above, will trigger University action, including interim sanctions as appropriate:

(1) physical assault or abuse;

(2) sexual assault or abuse;

(3) threats with a weapon (display of a weapon accompanied by statements or actions which cause justifiable fear or apprehension; see *Board of Regents Policy Manual* 2.1.4M, which prohibits use or possession on the campus of dangerous weapons);

(4) verbal or other threats of physical or sexual assault;

(5) domestic/dating violence that is coercive, abusive, and/or threatening behavior toward a current or former intimate or romantic partner.

(6) Stalking as a course of conduct that is directed at a specific person that would cause a reasonable person to feel fear includes but is not limited to:

(a) Non-consensual communication including in-person communication, telephone calls, voice messages, text messages, email messages, social networking site postings, instant messages, postings of pictures or information on websites, written letters, gifts, ordering goods or services, or any other communications that are undesired and/or place another person in fear;

(b) Following, pursuing, waiting, or showing up uninvited at a workplace, place of residence, classroom, or other locations frequented by a complainant;

(c) Monitoring online activities, surveillance and other types of observation, whether by physical proximity or electronic means, attempts to gather information about the complainant;

(d) Vandalism, including attacks on data and equipment;

(e) Direct physical and/or verbal threats against a complainant or a complainant's family, friends, co-workers, and/or classmates including animal abuse;

(f) Gathering of information about a complainant from family, friends, co-workers, and/or classmates;

(g) Manipulative and controlling behaviors such as threats to harm oneself, or threats to harm someone close to the complainant;

(h) Defamation or slander against the complainant, posting false information about the complainant and/or posing as the complainant to post to websites, newsgroups, blogs, or other sites that allow public contributions, encouraging others to harass the complainant;

(i) Posing as someone other than oneself to initiate transactions, financial credit, loans, or other contractual agreements;

(j) Arranging to meet complainant under false pretenses.

(7) intentional damage or destruction of public or private property; or

(8) violent conduct prohibited by the *Code of Iowa*. A student, staff, or faculty member charged with criminal misconduct under the *Iowa Criminal Code*, including but not limited to the examples of such criminal conduct listed below, will be considered guilty of assaultive or threatening behavior and therefore subject to disciplinary sanctions upon conviction in criminal court:

(a) Chapter 707 (Homicide and Related Crimes);

(b) Chapter 708A (Terrorism, Threat of Terrorism, and Support of Terrorism);

(c) Chapter 708 (Assault, Harassment, and Stalking);

(d) Chapter 709 (Sexual Abuse);

(e) Chapter 711 (Robbery and Extortion);

(f) Those sections of Chapter 710 which deal with kidnapping and false imprisonment;

(g) Chapter 712 (Arson);

(h) Those acts under Chapter 713 (Burglary) when accompanied by an element of assault;

(i) Chapter 729.4 (Infringement of Civil Rights in employment);

(j) Chapter 729.5 (Infringement of Civil Rights by violence);

(k) Chapter 723 (Riot, Unlawful Assembly, Failure to Disperse, and Disorderly Conduct);

(l) Chapter 236 (Domestic Abuse).

b. Concurrent criminal charges. For purposes of these procedures, a "conviction" includes a guilty plea, jury verdict, judicial decision, or deferred judgment. In the event a convicted student, staff, or faculty member files a criminal appeal, the University will consider the question of criminal guilt to be final only after the matters on appeal have been resolved, although appropriate University officials may impose interim sanctions pending the outcome of the appeal.

c. Non-criminal misconduct. University regulations and procedures are distinct from criminal statutes and procedures. Ordinarily, a less stringent standard of proof is required under administrative procedures. Regardless of whether criminal charges are filed, students, staff, and faculty members who commit assaultive or threatening behavior listed in paragraph a above will be subject to disciplinary sanctions when the misconduct was committed under one of the circumstances described in II-10.4. In those cases where criminal charges filed in connection with the same incident are dismissed in court, the outcome in the criminal proceeding is not dispositive of the question of whether this Policy on Violence was violated in all cases.

10.6 Bringing a Complaint

(Amended 3/07; 7/15)

a. A complaint that this policy has been violated may be brought through informal or formal channels by any member of the University community, including a third party, or by the University itself. A complaint must state specific and credible allegations to warrant an investigation. There is no time limit for bringing a complaint; however, it may be difficult to substantiate the allegations made in a complaint brought after significant time has passed. Therefore, prompt reporting of complaints is strongly encouraged.

b. Substantial weight will be given to the wishes of the alleged victim when determining whether to investigate a complaint, but the University may investigate a complaint even without the alleged victim's consent if circumstances warrant (such as when there are multiple complaints against the same person or allegations are particularly egregious).

c. Persons who wish to consult with someone about a specific situation on a confidential basis or learn more about enforcement of this Policy on Violence may contact any of the following offices or organizations:

(1) Office of the Ombudsperson, C108 Seashore Hall (for faculty, staff, or students);

(2) Employee Assistance Program, 121-50 University Services Building (for faculty or staff);

(3) University Counseling Service, 3223 Westlawn (for students);

(4) Women's Resource and Action Center (for faculty, other instructors, staff, students, or visitors);

(5) Rape Victim Advocacy Program, Linn Street Place (certified victim advocates) (for faculty, other instructors, staff, or students);

(6) Domestic Violence Intervention Program, 1105 South Gilbert Court, Iowa City (certified victim advocates) (for faculty, other instructors, staff, students, or visitors).

These offices are exempt from the reporting requirements set forth in II-10.7e below. Other offices may be required to report allegations as described in II-10.7e.

Representatives of these offices or other support persons may accompany an alleged victim during the investigation process if the alleged victim so desires.

10.7 Informal Resolution

(Amended 3/07; 5/15; 7/15)

a. A report may be brought informally to any academic or administrative officer of the University (as defined in II-10.3a). If the report alleges violence based on a protected classification as defined by II-3 Human Rights (race, creed, color, religion, national origin, age, sex, pregnancy, disability, genetic information, status as a U.S. veteran, service in the U.S. military, sexual orientation, gender identity, associational preferences, or any other classification that deprives the person of consideration as an individual), the report may be brought to the Office of Equal Opportunity and Diversity, 202 Jessup Hall. If the report alleges dating violence, domestic violence, or stalking of a romantic or sexual nature, the report must be brought to the Office of the Sexual Misconduct Response Coordinator, 450 Van Allen Hall, or the Office of Equal Opportunity and Diversity, 202 Jessup Hall.

b. The academic or administrative officer will:

(1) counsel the complainant as to the options available under this policy and, at the complainant's request, will help the complainant resolve the complaint informally and/or refer the complainant to the appropriate office as described in II-10.8a below so that the complainant may bring a formal complaint; and

(2) take appropriate interim action, which may include those actions described in II-10.9 below, to address the alleged behavior and protect the health or safety of the

alleged victim, complainant, and/or witnesses.

c. The following assistance is available to the academic or administrative officer:

(1) The Office of Equal Opportunity and Diversity, 202 Jessup Hall, 319-335-0705, will assist in determining whether there is a potential policy violation related to a protected classification, and whether reporting pursuant to paragraph e below is required.

(2) For situations involving faculty and/or staff, the Threat Assessment Team is available to assist with assessing situations, planning the actions needed, and carrying out those actions. This team may be contacted at Organizational Effectiveness, 121-50 University Services Building, 319-335-2955. (See also VI-32 University of Iowa Threat Assessment Program.)

(3) For situations involving students, contact the Office of the Dean of Students, 135 Iowa Memorial Union, 319-335-1162.

d. When a complaint is brought informally, the person(s) charged in the complaint will not ordinarily be informed of the complaint without the consent of the alleged victim unless circumstances require (such as when there are multiple complaints against the same person or allegations are particularly egregious). No disciplinary action can be taken against a person charged in an informal complaint, and there will be no record of the complaint in the person's employment or student disciplinary file, unless the person is notified of the charges and given an opportunity to respond.

e. Any academic or administrative officer of the University who becomes aware of specific and credible allegations of violence based on a protected classification (race, creed, color, religion, national origin, age, sex, pregnancy, disability, genetic information, status as a U.S. veteran, service in the U.S. military, sexual orientation, gender identity, associational preferences, or any other classification that deprives the person of consideration as an individual), whether through the report of a complainant (including a third party) or otherwise, shall report the allegations promptly to the Office of Equal Opportunity and Diversity (except for allegations against a student regarding conduct occurring in the residence halls, which shall be reported to the Office of the Dean of Students) for assistance in evaluating the situation and determining an appropriate course of action, even if the alleged victim has requested that no action be taken. If there is a supervisory relationship between the complainant and/or victim and the respondent, the appropriate course of action will include development of a plan to avoid any perceived or actual conflict of interest until the complaint is resolved.

The initial report should be made verbally in person or by telephone, but a written report also must be made after the complaint is resolved using the Office of Equal Opportunity and Diversity Informal Violence Complaint Resolution form, which requires disclosure of the employment or student status of the alleged victim(s), the complainant(s) (if other than the alleged victim), and the person(s) charged; the department(s) with which those persons are affiliated; a summary of the allegations; and a description of the steps taken to resolve the complaint. If the person charged is informed of the existence of the informal complaint, the names of the parties must be provided to the Office of Equal Opportunity and Diversity. If the person charged is not informed of the complaint, then the names of the parties shall not be provided to the Office of Equal Opportunity and Diversity.

f. Reasonable efforts will be made to process complaints in a timely manner, giving consideration to the nature of the allegations and the circumstances surrounding the complaint process.

g. It is the responsibility of the academic or administrative officer who facilitates the informal resolution of the complaint to monitor compliance with the terms of the informal resolution. Sanctions up to and including termination of employment or separation from the University may be imposed in the event that an individual fails to comply with the terms of the informal resolution.

10.8 Investigation of Formal Complaints

(Amended 3/07; 5/15; 7/15; 7/1/17)

a. A formal complaint pursuant to this policy must be brought to one of the following offices for investigation depending upon the status of the respondent and the nature of the allegations:

(1) Protected class violence. If the complaint alleges violence based on a classification covered by II-3 Human Rights (race, creed, color, religion, national origin, age, sex, pregnancy, disability, genetic information, status as a U.S. veteran, service in the U.S. military, sexual orientation, gender identity, associational preferences, or any other classification that deprives the person of consideration as an individual), a formal complaint should be brought to the Office of Equal Opportunity and Diversity, 202 Jessup Hall, regardless of the status of the respondent.

(2) Other violence. If the complaint alleges violence that is not based on a classification covered by II-3 Human Rights (race, creed, color, religion, national origin, age, sex, pregnancy, disability, genetic information, status as a U.S. veteran, service in the U.S. military, sexual orientation, gender identity, associational preferences, or any other classification that deprives the person of consideration as an individual), a person should bring a formal complaint to one of the following offices depending on the status of the respondent:

(a) Faculty or instructor. If the respondent is a faculty member, teaching assistant, or other instructor, a formal complaint should be brought to an academic or administrative officer (including the complainant's DEO or collegiate dean). The investigation will be conducted by the respondent's collegiate dean or by the Office of the Executive Vice President and Provost, 111 Jessup Hall.

(b) Staff member. If the respondent is a staff member (professional and scientific or merit staff), a formal complaint should be brought to an academic or administrative officer (including the complainant's human resources unit representative) or to University Human Resources. The investigation will be conducted by the Senior Human Resources Leadership Representative for the unit employing the respondent or by his or her designee who has been approved by University Human Resources.

(c) Student. If the respondent is a student, a formal complaint should be brought to the Office of the Dean of Students, 135 Iowa Memorial Union.

b. A formal complaint may be brought after an informal resolution was not successfully reached, or may be brought immediately without pursuing informal resolution.

c. The purpose of the investigation is to establish whether there is a reasonable basis for believing that a violation of this policy has occurred. In conducting the investigation, the investigating office will make reasonable efforts to interview the alleged victim, the complainant (if other than the alleged victim), and the respondent, and may interview other persons believed to have pertinent factual knowledge, as well as review any relevant documentary evidence. At all times, the investigating office will take steps to ensure confidentiality to the extent possible.

d. When a formal complaint is brought, the respondent will be informed of the allegations, the identity of the complainant, and the facts surrounding the allegations. The investigation will afford the respondent an opportunity to respond to the allegations and evidence provided by the complainant and/or alleged victim, and to provide a statement of the facts as perceived by the respondent.

e. At the conclusion of the investigation, the investigating office will issue a written finding summarizing the evidence gathered and stating whether or not there is a reasonable basis for believing that a violation of this policy has occurred. The written finding will normally be issued within 45 days of when the complaint was filed. When it is not reasonably possible to issue the finding within 45 days of filing the complaint, the investigating office will notify the alleged victim and the respondent that the finding will be delayed and indicate the reasons for the delay. The alleged victim and the respondent will receive a copy of the written finding, which is to remain confidential as defined by II-10.13c. Third-party complainants will be notified only that the proceedings are concluded.

f. If the investigating office finds a reasonable basis for believing that a violation of this policy has occurred, the matter will be referred to the appropriate administrator for further consideration as outlined in II-10.9 below.

10.9 Process for Disciplinary Action

(Amended 3/07)

a. The following administrators will review the finding of the investigating office:

(1) the Office of the Executive Vice President and Provost, if the respondent is a faculty member or other instructional personnel (except graduate assistants);

(2) the office of the vice president or dean responsible for the unit employing the person charged, if the respondent is a staff member;

(3) the Office of the Dean of Students, if the respondent is a student;

(4) the appointing dean/vice president, if the respondent is a graduate assistant.

b. The administrator may:

(1) accept all or any part of the findings of the investigating office;

(2) not accept all or any part of the findings of the investigating office;

(3) reach a negotiated settlement of the complaint with the respondent; or

(4) initiate formal disciplinary action.

c. Violations of this Policy on Violence may lead to disciplinary sanctions up to and including termination or separation from the University. Sanctions for violations of this policy should be commensurate with the nature of the violation and the respondent's disciplinary history. Those who violate this policy should bear the consequences of their actions, even if factors such as substance abuse or personal problems contribute to misconduct. When the offense is serious, it is appropriate to consider separation from the University even in cases of first offense, and even when the respondent experiences remorse and/or did not intend to cause the resulting degree of harm.

d. In addition to other disciplinary action, persons who are found to have violated this policy may be required to participate in group counseling or personal therapy sessions, complete community service, enroll in a specific academic course, attend an educational workshop, and/or make restitution for economic damages caused by their behavior. When the respondent is a faculty or staff member, the Employee Assistance Program, 121-50 University Services Building, is available to assist with locating appropriate resources. When the respondent is a student, University Counseling Service, 3223 Westlawn, is available to assist with locating appropriate resources.

e. It is the responsibility of the appropriate administrator to monitor compliance with the disciplinary and/or remedial sanctions imposed. More serious sanctions, up to and including termination of employment or separation from the University, may be imposed in the event that the individual fails to comply with the sanctions initially imposed.

10.10 Applicable Procedures

(Amended 3/07; 7/1/17)

Formal disciplinary action resulting from violations of this policy by:

a. faculty members will be governed by III-29 Faculty Dispute Procedures and that portion of those procedures dealing with faculty ethics (III-29.7).

b. staff members will be governed by applicable Regent Merit System Rules and University policies, including III-16 Ethics and Responsibilities for University Staff, and the applicable grievance procedures, including III-28 Conflict Management Resources for University Staff.

c. graduate assistants, when dismissal is sought, will be governed by III-12.4 Graduate Assistant Dismissal. When disciplinary action other than dismissal is taken by the appointing dean/vice president, a graduate assistant may appeal through those procedures established for graduate assistant employees.

d. students will be governed by the *Student Judicial Procedure*. Both the *Code of Student Life* and the *Student Judicial Procedure* are published and distributed to students annually in Policies and Regulations Affecting Students.

10.11 Protection of Alleged Victims, Complainants, and Others

(Amended 3/07)

a. Alleged victims will be informed of relevant procedural steps taken during the investigation and any interim protective measures taken.

b. Throughout the investigation and resolution of a complaint, reasonable steps will be taken to protect alleged victims, complainants, witnesses, and others from harm associated with the complaint.

c. Retaliation against alleged victims, complainants, and/or witnesses who provide information during an investigation pursuant to this policy is prohibited by II-11 Anti-Retaliation. Reasonable action will be taken to assure that alleged victims, complainants, and/or witnesses suffer no retaliation as a result of their activities with regard to the process.

d. Steps that may be taken to protect alleged victims, complainants, witnesses, and others from continued violence and/or retaliation might include:

(1) lateral transfers of one or more of the parties in an employment setting and a comparable move if a classroom setting is involved, and

(2) arrangement that academic and/or employment evaluations concerning complainants or others be made by an appropriate individual other than the respondent.

e. Any retaliation against alleged victims, complainants, or witnesses should be reported pursuant to II-11 Anti-Retaliation. Retaliation may result in disciplinary action against the person committing the retaliatory act(s).

f. The Executive Vice President and Provost, a dean, a DEO, or any vice president may, at any time during or after an investigation of a violence complaint, suspend or partially restrict from employment any employee accused of violence if the Executive Vice President and Provost, dean, DEO, or vice president finds that it is reasonably certain that:

(1) the alleged violence has occurred, and

(2) serious and immediate harm will ensue if the person continues his or her employment.

Similarly, if the respondent is a student, interim sanctions may be imposed pursuant to Section 10 of the Student Judicial Procedure.

10.12 Protection of the Respondent

(Amended 3/07)

a. This policy shall not be used to bring knowingly false charges. Bringing such a charge constitutes a violation of this policy, and may subject the complaining party to remedial and/or disciplinary action up to and including termination or separation from the University. Any such disciplinary action will be initiated by the appropriate administrator overseeing the complainant(s).

b. In the event the allegations are not substantiated, the respondent may consult with the investigating office to discuss possible steps to address the restoration of the reputation of the respondent.

10.13 Confidentiality

(Amended 3/07; 7/15)

a. In order to empower community members to voice concerns and bring complaints, the confidentiality of all parties will be protected to the greatest extent possible. However, legal obligations may require the University to take some action once it is made aware that violence has occurred, even when the alleged victim is reluctant to proceed. Appropriate University officials will be consulted, including the Office of Equal Opportunity and Diversity when the complaint alleges violence based on a protected classification (see II-10.7e above), and information will be shared only with those individuals who need to know this information to implement this policy.

b. The parties to a complaint (alleged victims, third-party complainants, and respondents) and witnesses who provide information during an investigation are expected to maintain confidentiality as well, in order to protect the integrity of the investigation and the confidentiality interests of the parties. The matter should not be discussed with individuals who are involved in the complaint except as necessary to pursue an appeal or grievance or as part of another legal or administrative proceeding.

c. Dissemination of documents relating to a complaint and/or investigation, other than as necessary to pursue an appeal or grievance or as part of another legal or administrative proceeding, is prohibited.

d. Failure to maintain confidentiality by a respondent may be considered to be a form of retaliation in violation of II-10.11c of this policy. Failure to maintain confidentiality by any party (alleged victim, third-party complainant, or respondent) or witness may result in disciplinary action.

10.14 Notification

(Amended 3/07; 7/15)

a. The Office of the Dean of Students is responsible for informing all students of this University Policy on Violence. The policy will be distributed electronically to all students annually and discussed with new students as part of their orientation to campus.

b. The Office of the Executive Vice President and Provost is responsible for informing all current faculty members of this University Policy on Violence. The policy will be distributed to all faculty annually and distributed to new faculty members as part of their orientation.

c. The Office of the Senior Vice President for Finance and Operations is responsible for informing all current staff members of this University Policy on Violence. The policy will be distributed to all staff annually and distributed to new staff members as part of their orientation.

d. Periodic training on managing workplace security will be available.

10.15 Other University of Iowa Policies Related to Behavioral Expectations

(Amended 7/15)

a. In addition to the policies and procedures contained in this chapter that pertain to violent acts committed by University community members, the following policies may be helpful in determining a course of action to follow when responding to behavior of concern:

(1) II-4 Sexual Harassment

(2) II-14 Anti-Harassment

(3) III-15 Professional Ethics and Academic Responsibility

(4) III-16 Ethics and Responsibilities for University Staff

(5) IV-1 General Regulations Applying to Students

(6) IV-2 Sexual Misconduct, Dating/Domestic Violence, or Stalking Involving Students

b. In addition, the following *Operations Manual* chapters may be of assistance when considering the best course of action with regard to a concern that may fall under this chapter:

(1) III-28 Conflict Management Resources for University Staff

(2) III-29 Faculty Dispute Procedures

(3) V-16 Critical Incident Management Plan (guidelines for institutional management of disruptions caused by violent behavior)

(4) VI-32 University of Iowa Threat Assessment Program

II. Community Policies

Chapter 11 – Anti-Retaliation

(Amended 3/97; 10/11; 7/1/17)

Note: Good-faith reports of violations of University of Iowa *Operations Manual* policies, including Community policies and Human Resource policies, or other Human Resource policies or Division of Student Life policies are protected from retaliatory action by this policy.

11.1 Principle and Rationale

The University of Iowa encourages its faculty, staff, and students to make good-faith reports of University-related misconduct. The commitment to improve the quality of the University through such reports is vital to the well-being of the entire campus community. Retaliation as a response to such a report will not be tolerated. Retaliation, whether actual or threatened, destroys a sense of community and trust that is central to a quality environment. The University, therefore, wishes to make clear that it considers acts or threats of retaliation in response to such reports to constitute a serious violation of University policy.

11.2 Definitions

a. "Good faith report" means disclosure of University-related misconduct made with a belief in the truth of the report which a reasonable person in the reporter's position could hold based upon the facts. (Such report is sometimes called "whistleblowing.") A report is not in good faith if made with reckless disregard for or willful ignorance of facts that would disprove the report.

b. "University-related misconduct" includes any activity by a University department or by an employee that is undertaken in the performance of the employee's official duties, whether or not such action is within the scope of the individual's employment, and that is in violation of any state or federal law or regulation or University regulation or policy, including but not limited to corruption, bribery, theft of University property, fraudulent claims, fraud, coercion, conversion, discrimination, sexual harassment, civil rights violations, misuse of University property and facilities, or willful failure to perform duty.

c. "Reporter" means any student, staff, or faculty who in good-faith reports real or perceived University-related misconduct.

d. "Complainant" means any student, staff, faculty member, or other covered individual who makes a complaint of retaliation under this policy. Such a complaint may be made by the individual suffering from the retaliation or by a third party who has knowledge of retaliation.

e. "Other covered individuals" means any person who has participated in complaint proceedings or who has a close association with someone who has reported University-related misconduct or filed a complaint of retaliation.

f. "Retaliation" means any materially adverse action or credible threat of a materially adverse action by the University, or member thereof, taken against any faculty member, staff member, or student for having made a good-faith report of University-related misconduct, or taken to deter such a report in the future, or taken against another covered individual because of a close association with someone who has made or may make such a report.

g. "Materially adverse action" means any action that causes or threatens to cause significant injury or harm to a reporter, complainant or other covered person such that it would likely dissuade a reasonable member of the faculty, staff or student body from making or supporting a good-faith report of University-related misconduct. Adverse action does not include an action, including employment or academic action, that would have been taken regardless of the good-faith report of misconduct.

(1) Faculty and staff. Adverse actions may include, but are not limited to, employment actions such as discharge, demotion, suspension, denial of tenure or promotion, detrimental changes in work assignments, threats, harassment, purposeful exclusion from job interactions, and otherwise being substantially disadvantaged with respect to compensation or the terms, conditions, and privileges of employment. Adverse actions may also include actions or threats not directly related to employment if the actions would dissuade a reasonable faculty or staff member from making or supporting a complaint of University-related misconduct.

(2) Students. Adverse actions may include, but are not limited to, expulsion, suspension, disenrollment, grade reductions, denial of employment or training opportunities, exclusion from academic or extracurricular activities or opportunities, threats, harassment, or otherwise being substantially disadvantaged with respect to the academic, residential or extra-curricular life.

(3) Other covered individuals. Adverse actions may include those mentioned above as well as those that may prevent the individual from pursuing and/or obtaining employment.

11.3 Scope of Policy

No members of the University community shall engage in retaliation in response to the filing of a report of University-related misconduct.

The University will make every reasonable effort to stop retaliation immediately, to conduct a complete and thorough investigation of alleged acts of retaliation in a timely manner, and to sanction the perpetrators of retaliation as appropriate. For victims of substantiated retaliation, the University will provide redress by returning the reporter to the working or academic conditions s/he would have been in absent retaliation, where appropriate and reasonable.

The act of a good-faith report of University-related misconduct shall not be used to make a decision to the reporter's or other covered individual's detriment, or to subject the reporter or other covered individual to harassment such that it creates a hostile work or educational environment.

Agreement to a University or departmental confidentiality statement does not prohibit the sharing of such information in order to report University-related misconduct under this policy except to the extent prohibited by law. For example, disclosures governed by the Health Insurance Portability and Accountability Act (HIPAA) or professional licensing requirements would prohibit the sharing of information. Confidentiality statements signed as a requirement for the use of a University of Iowa electronic application available through the self-service website would not prohibit the sharing of information. If a potential reporter is unclear about whether he or she is prohibited from making a report due to a confidentiality agreement, he or she may contact the Office of the Ombudsperson for assistance in making that determination.

To encourage and protect reporters, it is University policy that no reference to the good-faith report of University-related misconduct shall be made in personnel files, letters of recommendation, performance appraisals, or any other permanent evaluative documents without the consent of the reporter. To the extent that it is possible to do so, the identity of the reporter and complainant will remain confidential.

No faculty or staff member or student will be exempt from the consequences of misconduct or inadequate performance by reporting his or her own misconduct or inadequate performance. Reports of alleged University-related misconduct that are not made in good faith are not protected under this policy. Those who make reports not in good faith will be

disciplined as appropriate through regular University procedures. Irrespective of the origin or the intent of the allegations, in the event the allegations are not substantiated, the University in consultation with the accused shall take all reasonable steps within the control of the University to restore the reputation of the accused to the extent that it was damaged by the investigation and proceedings, for example, removing all references to the allegations in the personnel records of the accused.

11.4 Students Who Retaliate

In order to maintain a hostility-free educational environment, University policies seek to protect students from the harassing behaviors of other community members. Students and other covered individuals who make good-faith reports are protected from retaliation by faculty or staff members, as explained above. Retaliatory behavior also is prohibited under the Code of Student Life and under other University rules affecting students. Although students are not agents of the University, an individual enrolled in a University academic course may be subject to disciplinary sanctions if he or she threatens, assaults, or harasses a student or faculty or staff member in retaliation for making a report. Sanctions also may be imposed in cases where no report has been filed but a student threatens to retaliate against one who does make a report.

11.5 Sanctions

Anyone who violates the anti-retaliation policy is subject to disciplinary action. Following an appropriate investigation and subject to the procedures which are part of the policies governing the relevant type of appointment at the University, the faculty, student, or staff member may be subject to sanctions, including reprimand, probation, suspension, demotion, reassignment, termination, expulsion, no-contact directive, or building prohibition directive.

Temporary sanctions invoked upon receipt of a complaint under this policy, such as a no-contact directive or building prohibition directive, may also be imposed as a permanent sanction. It is the responsibility of the administrator imposing sanctions to monitor compliance. Failure to comply with an ordered sanction may result in further disciplinary measures up to and including termination and expulsion. In addition to disciplinary action by the University, violations of the policy which fall under *Iowa Code* 70A.28 may also be referred to the state for civil prosecution.

11.6 Procedures

(Amended 7/1/17)

a. Informal resolution. The University encourages the informal resolution of complaints. The procedures used to resolve complaints informally may vary from department to department depending upon whether the accused is a faculty member, staff member, or student. However, individuals who are handling informal complaints should follow the following guidelines:

(1) Inform the complainant of formal procedure options and that the identity of the complainant and the nature of the charge will be disclosed to the accused if a formal investigation commences.

(2) Inform the complainant that any time he or she is not satisfied with the informal process, he or she can initiate a formal complaint.

(3) Prior to hearing details of a complaint, inform the complainant that in some cases the University has a legal obligation as a mandatory reporter to inform outside agencies of University-related misconduct, e.g., informing federal agencies of federal-grant-supported activities that resulted in scientific misconduct.

(4) To the extent possible, work with the parties in a confidential manner to achieve an informal resolution.

(5) Investigation of informal complaints should be concluded within 30 calendar days of their inception. When this is not reasonably possible, the person processing the complaint should notify the complainant in writing that conclusion of the complaint will be delayed and indicate the reasons for delay.

(6) When the complainant is advised to proceed with formal action due to the apparent serious nature of the violation of University policy, additionally inform the complainant in writing of this recommendation.

(7) Contact the respective supervisor, Human Resources Unit Representative, Senior Human Resources Leadership Representative, or the Office of General Counsel when unclear about responsibilities in handling an informal complaint.

b. Formal resolution.

(1) Filing Procedures. A person may choose among a number of offices when filing a formal complaint. If, however, the complaint involves alleged retaliation in connection with research misconduct, the person may only file her or his complaint with the University of Iowa Research Integrity Officer. In these cases, the University of Iowa Anti-Retaliation Policy for Reporting Misconduct in Research is in effect and supersedes this policy (see II-27.8).

A complainant who wishes to receive the protections described by this policy shall file his or her formal retaliation complaint with an appropriate University official as described below within 180 days from the date the complainant became aware or should have become aware of the alleged retaliation. Any person may file a formal complaint against a student, staff member, or faculty member (including teaching assistants) for violating the Anti-Retaliation Policy. Depending upon the status of the person accused, a complaint may be filed with one of the following offices:

(a) Faculty or instructor. If the accused is a faculty member, teaching assistant, or other instructor, complainants may contact the dean of the college, or in such cases when the accused is a dean, the Office of the Executive Vice President and Provost;

(b) Staff member. If the accused is a staff member (professional and scientific or merit staff), complainants may contact the accused person's Senior Human Resources Leadership Representative or department head, or in such cases when the accused is a department head, the dean or vice president responsible for the unit employing the accused person; or

(c) Student. If the accused is a student, complainants may contact the Dean of Students or the Dean of the Graduate College.

(2) In lieu of the offices listed above, retaliation complaints may be made to the office that handled the original report of University-related misconduct. In the case of issues dealing with financial matters, complaints may be filed at the Office of the Internal Audit by contacting them directly or via the confidential online reporting resource, EthicsPoint. Complaints of retaliation that stem from sexual harassment, sexual misconduct involving students, discrimination, and civil rights violations may be filed at the Office of Equal Opportunity and Diversity. A person may also seek assistance from the Office of the Ombudsperson to discuss concerns about retaliation and to get help in filing a complaint of retaliation.

(3) Time period for investigating formal complaints. Investigations of formal complaints should be concluded within 45 calendar days of their inception. When it is not reasonably possible to conclude the investigation within that amount of time, the responsible University official will notify the complainant in writing that conclusion of

the investigation will be delayed and indicate the reasons for the delay.

(4) Resolving a complaint. Ordinarily the person who is assigned to resolve a complaint will interview the person accused and, as needed, others in order to determine if there is a reasonable basis to believe that a violation of policy has occurred. During the investigation process, the complaint may be resolved informally by mutual agreement of the accused and the complainant. If the complaint is not resolved informally by mutual agreement and the complainant wants to proceed, then the matter shall be referred to the appropriate administrator as described below. In the event that the appropriate administrative official as described below concludes that there is a reasonable basis for believing that the Anti-Retaliation Policy was violated, and if an informal resolution of the complaint still has not been achieved, formal action will be taken.

(5) Persons responsible for taking formal action and governing provisions. The decision to take formal action will be made by one of the following persons or their respective designees:

(a) Faculty. In cases involving faculty members, formal action decisions are made by the chief academic officer of the University. Governing procedure is the general Faculty Dispute Procedures (III-29) and that portion of those procedures dealing with faculty ethics (III-29.7);

(b) Graduate assistants, including teaching assistants. In cases involving graduate assistants, formal action decisions are made by the chief academic officer of the University or their designee;

(c) Professional and scientific staff. In cases involving professional and scientific staff members, formal action decisions are made by the vice president (or Executive Vice President and Provost) responsible for the unit employing the accused party. Governing grievance procedures are described in III-28 Conflict Management Resources for University Staff;

(d) Merit staff. In cases involving merit staff members, formal action decisions are made by the vice president (or Executive Vice President and Provost) responsible for the unit employing the accused party. Governing grievance procedures are those available under III-28 Conflict Management Resources for University Staff; or

(e) Students. In cases involving students, formal actions are taken by the Dean of Students. The governing procedure is the Student Judicial Procedure.

c. At any time before the complaint is fully resolved, the complainant may submit a request to the responsible official to take interim actions to protect the complainant against any adverse action.

(See II-27.8 Anti-Retaliation for Reporting Misconduct in Research.)

II. Community Policies

Chapter 12 – A Drug Free Environment

(Amended 8/90; 9/97; 10/04; 9/05; 9/12)

12.1 Policy Statement

(Amended 10/04)

a. The use or possession of illegal drugs as well as the abuse of alcohol and other intoxicants creates a serious threat to the health and well-being of the user and in some instances to fellow employees and private citizens. The University of Iowa has a responsibility to provide a work environment free of drugs and alcohol, and employees have the right to perform their duties with co-workers not impaired by drugs and alcohol.

b. In compliance with the Drug Free Workplace Act of 1988 and the 1990 rules under the Drug Free Schools and Campuses Act, all University of Iowa faculty and staff are herein notified that the unlawful possession, use, distribution, manufacture or dispensing of illicit drugs and alcohol, including controlled substances, is prohibited on the University's premises, in its activities, either in the workplace, or in such places and at such times that could have an adverse effect on the employee's work performance or behavior, or interfere with the rights and privileges of co-workers or the public. Chapter V-26 Alcoholic Beverage Service Guidelines and Procedures governs serving alcoholic beverages on campus.

c. To assist employees in broadening their knowledge of the harmful effects of illicit drugs, controlled substances, and alcohol, and to assist in the treatment of alcoholism or drug addiction, The University of Iowa will use an annual policy notification, UI Employee Assistance Program (UI EAP) mailings, Learning and Development classes, and other avenues to make faculty and staff members aware of the following:

    (1) the dangers of drug and alcohol abuse in the workplace;

    (2) the University's Drug Free Environment Policy;

    (3) the availability of the UI Employee Assistance Program;

    (4) staff development training regarding substance abuse;

    (5) the existence of regional substance abuse treatment facilities and programs; and

    (6) the penalties which may be imposed for Drug Free Environment Policy violations.

As a condition of employment, faculty and staff members agree to abide by the terms outlined in this policy.

12.2 Health Risks Associated with the Use of Controlled Substances and Alcohol

a. The use of marijuana, LSD, amphetamines, sedatives, tranquilizers, other dangerous drugs or legally defined controlled substances by University staff members is of concern, as is the illegal use or abuse of alcohol. The health risks include, but are not limited to the nervous, cardiovascular, respiratory, muscular, endocrine, and central nervous systems.

b. These may involve toxic, allergic, or other serious reactions; unfavorable mood alteration; and addiction. Physiological and psychological dependency, which manifests itself in a preoccupation with acquiring and using one or more drugs, may cause severe emotional and physical injury. In the workplace, drug and/or alcohol use may also adversely affect the staff member's work performance.

12.3 University Sanctions

a. The University will impose sanctions on any faculty or staff member who is found to be in violation of this policy, the Drug Free Workplace Act of 1988, or the 1990 rules under the Drug Free Schools and Campuses Act.

b. Anyone who violates this policy will be subject to disciplinary action. Following an appropriate investigation and subject to the procedures which are part of the policies governing the relevant type of appointment at the University, the faculty or staff member can be subject to any one or a combination of the following disciplinary and/or educational sanctions:

    (1) disciplinary action, including reprimand, suspension, or termination;

    (2) required completion of substance abuse treatment;

    (3) required attendance at designated staff development or other substance abuse education programs.

c. In addition to disciplinary action by the University, violations of the policy may also be referred for criminal prosecution.

12.4 Applicable Criminal Sanctions

(Amended 10/04)

Both state and federal laws prohibit distribution of, manufacture of, or possession with intent to distribute a controlled substance or a counterfeit controlled substance. Specific drugs, amounts, and penalties are described in *Iowa Code* 124.401(1) Specific drugs, amounts, and penalties are described in 21 USC 841(b). State and federal legal sanctions are subject to change by the General Assembly and Congress, respectively.

a. Penalty Enhancement. The maximum term and fine increase significantly if state or federal penalty enhancement rules apply. Factors which raise maximum penalties under federal penalty enhancement rules include death or serious bodily injury; prior drug conviction; placing at risk or distributing a drug to a person under 21 years old; using a person under 18 years of age to assist in the drug violation; and distributing or manufacturing a drug within 1,000 feet of school property, including The University of Iowa campus. Penalty enhancement rules apply to defendants 18 years or older. Factors which raise maximum penalties under state penalty enhancement rules include using firearms or dangerous weapons in the commission of the offense.

b. Possession. Both state and federal laws prohibit possession of a controlled substance. The maximum state and federal penalty for possession is confinement for one year and a fine of $1,500. The maximum term and fine increase significantly in the event that state or federal penalty enhancement rules apply. In addition, a person in possession of a

small amount of a controlled substance for personal use may be assessed a civil fine up to $10,000 in addition to any criminal fine.

c. Driving While Intoxicated. Under state law, a person found guilty of operating a motor vehicle while under the influence of drugs or alcohol (blood concentration of .08 or greater) shall be imprisoned for not less than 48 hours and fined not less than $500 for the first offense. For the second Operating While Intoxicated (OWI) offense the minimum period of confinement is seven days and a fine of not less than $750. The minimum period of confinement for the third or subsequent OWI convictions is thirty days and could be up to one year, with a fine of not less than $750.

The driver's license of an individual under 21 years of age who is found guilty of operating a motor vehicle with a blood alcohol concentration of .02 percent or more is subject to a 60-day suspension even if the individual is not legally intoxicated. For individuals convicted of OWI, the period of suspension is 180 days or more regardless of age.

d. Alcohol-Related Offenses. Under state law, the drinking age is 21. State law prohibits:

(1) public intoxication;

(2) driving a motor vehicle with an unsealed receptacle containing an alcoholic beverage in the vehicle;

(3) giving or selling an alcoholic beverage to anyone intoxicated; and

(4) possession of an alcoholic beverage under legal age.

e. The City of Iowa City prohibits:

(1) consumption of an alcoholic beverage in a public place; and

(2) possession of an unsealed receptacle containing an alcoholic beverage in a public place.

Each of these offenses is a simple misdemeanor, punishable by a fine of up to $100 or a jail sentence of up to 30 days. For certain offenses, state law provides for mandatory fines and suspension of driver's licenses. For example, the mandatory fine for under-age possession of alcohol is $100 for a first offense and $200 for a second offense. A person who gives, sells, or furnishes an alcoholic beverage to a person under the legal age commits a serious misdemeanor and is subject to a fine of between $500 and $1,500 and in addition may be sentenced to jail for up to one year. If injury results from the furnishing of alcohol, an aggravated misdemeanor is committed, and the guilty person is subject to a fine of between $500 and $5,000 and in addition may be sentenced up to two years in prison. If death results from the furnishing of alcohol, a class D felony is committed, and a guilty person may be sentenced to a prison term not to exceed five years.

12.5 Criminal Conviction Reporting Under Drug Free Workplace Act of 1988

Under the Drug Free Workplace Act of 1988, faculty or staff members who receive a criminal drug statute conviction for a violation occurring in the workplace must notify the head of their department within 5 days of the conviction. The head of the department must in turn notify the Office of Sponsored Programs within 5 days of learning of the conviction. If any of the employee's compensation is from a federal contract or grant program, the University must then notify the contracting or granting agency within 10 days after receiving notice from the employee or of learning about an employee's criminal drug statute conviction for conduct in the workplace.

12.6 Resources Available to University Faculty and Staff

(Amended 9/12)

The UI Employee Assistance Program (UI EAP) is a University-sponsored resource for those experiencing a variety of health and well-being-related concerns, including concerns relative to drug and alcohol use and abuse. UI EAP provides faculty, staff, and their immediate family members an opportunity to seek professional, confidential assistance at no cost to the employee. "Immediate family" includes the employee's spouse or domestic partner and dependent children. UI EAP provides assessment and referrals to community, regional, or national providers of substance abuse treatment. UI EAP also provides brief counseling services (typically up to four sessions within a year). Consultation services are provided to supervisors, Human Resource professionals, colleagues, and coworkers. UI EAP provides educational programming and training in how to seek assistance, make referrals, or better understand the challenges of drinking and addictions. For more information or to schedule an appointment, contact the UI Employee Assistance Program, 121-50 University Services Building, (319) 335-2085, or eaphelp@uiowa.edu; or visit their website at https://hr.uiowa.edu/uieap/.

(See also Drug Free Environment and Campus Security Policy Notification at https://hr.uiowa.edu/policies/annual-notifications.)

II. Community Policies

Chapter 13 – HIV Infection and AIDS (HIV Disease)

(9/97; amended 3/04; 7/1/08)

13.1 General

The Human Immunodeficiency Virus (HIV) is the causative agent of Acquired Immune Deficiency Syndrome (AIDS), a chronic and progressive disease which affects the human immune system. HIV disease is an issue of importance to the University of Iowa community.

The University's paramount concern is to protect individual rights and safety, to respect personal privacy and the confidentiality of medical information, and to provide opportunities for the fullest possible participation in all educational, cultural, and social activities of the University, including employment. In compliance with applicable federal and state law, the University endeavors to make reasonable accommodation for people with HIV involved in University programs and employment. For information on accommodation, please refer to the Disability Protection Policy (II-7).

The University periodically publishes and distributes a document entitled "Questions and Answers Concerning University of Iowa Policies on HIV Infection and Acquired Immune Deficiency Syndrome (AIDS)." This document is designed to provide an up-to-date knowledge base regarding HIV infection risks and prevention practices, to establish the underlying principles upon which University policy is based, to foster well-reasoned and specific responses to individual cases, and to provide exemplary guidelines for responding to the complex social, medical, and ethical issues related to HIV disease. Copies of the document are available from Student Health and Wellness.

Individual units of the University may create specific policies that are relevant to their particular circumstances provided they are consistent with this policy, current medical and scientific knowledge, and applicable federal, state, and local law.

13.2 Nondiscrimination

Individuals with HIV disease are protected by applicable federal and state laws, as well as by the University's Human Rights and Nondiscrimination policies (see II-1-9). These laws and policies prohibit disability-based discrimination and harassment against persons living with HIV disease, persons perceived to have HIV disease, and, in many circumstances, caretakers, relatives, or other persons associated with individuals known to have HIV disease. The University treats HIV disease as it does any other disability and does not discriminate with regard to associations, employment, or access to or treatment in its facilities, programs, or activities. Questions regarding the University's nondiscrimination policy should be referred to the Office of Equal Opportunity and Diversity.

13.3 Confidentiality

HIV-related information is confidential and, by law, is not to be disclosed or revealed to anyone, in any manner, without an individual's express, written, and HIV-specific consent. HIV-related information includes a person's infection or disease status as well as the fact that an individual has been tested for HIV, regardless of the result. An individual can choose to disclose his or her HIV status and may be asked or required to reveal HIV- or disability-related information when requesting reasonable workplace, educational, or other accommodations or when completing certain insurance applications. *Iowa Code* 141A governs the dissemination of HIV/AIDS information, including subsequent disclosures, and other laws and policies address and safeguard the confidentiality of medical, dental, educational, and employment records and information.

13.4 HIV Testing and Counseling

HIV testing is available at The University of Iowa and in surrounding communities. Confidential testing is available for students, faculty, and staff at Student Health and Wellness, The University of Iowa Hospitals and Clinics, and the Department of Family Practice, as appropriate. In cases of suspected occupational exposure, testing will be provided without cost to the individual. Anonymous testing is available in Iowa City, Cedar Rapids, and elsewhere in Iowa. Informed consent is required, and appropriate counseling (pre-test and post-test) is to be provided in accordance with *Iowa Code* 141A. An HIV test is not a requirement or precondition for employment, admission, or enrollment at The University of Iowa.

13.5 Occupational Safety

The University of Iowa provides education and training about infection risk and infection prevention procedures and adheres to Centers for Disease Control and Prevention (CDC) and Occupational Safety and Health Administration (OSHA) recommendations, standards, and regulations regarding blood-borne pathogens. Annual training is mandated for all members of the University community whose employment places them at risk of exposure to blood-borne pathogens. Training is also provided to students whose academic programs place them at risk of exposure to blood-borne pathogens. Questions related to occupational safety may be referred to Environmental Health and Safety.

13.6 Policy Review and Responsibility

The University of Iowa Task Force on Infectious Diseases will review this policy and the "Questions and Answers" document biannually to ensure that the materials remain accurate and consistent with the latest available clinical, medical, scientific, and legal information and requirements.

II. Community Policies

Chapter 14 – Anti-Harassment

(Amended 6/05; 12/05; 12/11; 8/13; 5/15; 7/15; 7/1/17)

14.1 Rationale

(Amended 7/15)

The purpose of this policy is to prevent harassment within The University of Iowa community and to provide a process for addressing all forms of harassment if and when it occurs. The University of Iowa is committed to maintaining an environment that recognizes the inherent worth and dignity of every person, and that fosters tolerance, sensitivity, understanding, and mutual respect. This commitment requires that the highest value be placed on the use of reason and that any harassment in the University community be renounced as repugnant and inimical to its goals. Harassment destroys the mutual trust that binds members of the community in their pursuit of truth.

The University also is committed strongly to academic freedom and free speech. An educational institution has a duty to provide a forum in which free speech and differences of opinion are actively encouraged and facilitated, and where opinions and deeply held beliefs are challenged and debated. Critical to this mission is providing a nondiscriminatory environment that is conducive to learning. Respect for these rights requires that members of the University community tolerate expressions of opinion that differ from their own or that they may find abhorrent.

This policy addresses harassment in all forms based on any classification covered by law and/or II-3 Human Rights (with the exception of sexual harassment, which is addressed in II-4 Sexual Harassment) and IV-2 Sexual Misconduct, Dating/Domestic Violence, or Stalking Involving Students, as well as harassment based on other factors as set forth in this policy.

14.2 Policy

(Amended 5/15; 7/15)

Harassment of any member of the University community is prohibited.

a. Definition of harassment as it relates to conduct. "Harassment" means intentional conduct directed toward an identifiable person or persons that is sufficiently severe, pervasive, or persistent that it interferes with work, educational performance, on-campus living, or participation in a University activity on or off campus.

b. Definition of harassment as it relates to the content of speech. When an allegation of harassment rests upon the content of oral, written, or symbolic speech, it falls within this definition only if 1) the content consists of those personally abusive epithets which are inherently likely to provoke a violent reaction, 2) the content is a serious expression of an intent to commit an act of unlawful violence to a particular individual or group of individuals, or 3) the content is a threat to a person or group of persons with the intent of placing the victim in fear of bodily harm or death. Conduct that constitutes a protected exercise of an individual's rights under the First Amendment to the United States Constitution (and related principles of academic freedom) shall not be deemed a violation of this policy. Note: Sexual harassment is addressed by the University's Policy on Sexual Harassment (II-4) and/or the University's Policy on Sexual Misconduct Involving Students (IV-2).

c. Evidence of harassment. Behavior that may constitute, or be evidence of, prohibited harassment includes, but is not limited to, the following:

(1) repeated contact with another in person, by telephone, in writing, or through electronic means (see also II-19 Acceptable Use of Information Technology Resources), after the recipient has made clear that such contact is unwelcome.

(2) physical, visual, or verbal behavior directed toward another person or an identifiable group of persons that is intended to be or is reasonably likely to be interpreted as threatening or intimidating. Behavior that constitutes speech is included within this section only to the extent to which it has a direct tendency to incite an immediate violent reaction in a reasonable person or to place a reasonable person in fear of imminent physical harm.

(3) harassment proscribed by the *Iowa Criminal Code*, Chapter 708, including, for example, stalking, the placement of simulated explosives, ordering merchandise or services with intent to annoy, or false reports to police.

(4) stalking as a course of conduct that is directed at a specific person that would cause a reasonable person to feel fear.

(5) domestic/dating violence which is coercive, abusive, and/or threatening behavior toward a current or former intimate or romantic partner.

d. Academic freedom. All proceedings under this section shall respect the principles of academic freedom stated in the Statement on Tenure and Academic Vitality at The University of Iowa (III-10.1a(2)), which commits the University to the principle that "free inquiry and expression are essential to the maintenance of excellence."

e. Penalty enhancement. The University reserves the right to impose more severe sanctions on individuals whose actions in violation of this policy are motivated by the race, creed, color, religion, national origin, age, sex, pregnancy, disability, genetic information, status as a U.S. veteran, service in the U.S. military, sexual orientation, gender identity, or associational preferences of the victim.

f. In determining whether alleged conduct constitutes prohibited harassment, the investigator will consider all available information and will review the totality of circumstances, including the context in which the alleged incident(s) occurred. Although repeated incidents generally create a stronger claim of harassment, a single serious incident can be sufficient. Determinations will be made on a case-by-case basis.

g. Definitions of other terms used in this policy:

(1) Academic or administrative officer includes the following:

(a) Collegiate deans (including associate deans and assistant deans),

(b) Faculty members with administrative responsibilities at the level of departmental executive officer (DEO) or above,

(c) Any staff member whose primary job responsibility is to provide advice regarding a student's academic pursuits or other University-related activities,

(d) A faculty member serving as departmental (or collegiate) director or coordinator of undergraduate or graduate studies, or as a director or coordinator of any departmental, collegiate, or University off-campus academic program (including any study-abroad program),

(e) The President, Director of Equal Opportunity and Diversity, vice presidents (including assistant and associate vice presidents), and Provost (including assistant and associate provosts), and those persons' designees,

(f) Directors and supervisors in an employment context, including faculty and staff who supervise student employees, in relation to matters involving the employees they supervise (other than Department of Public Safety personnel when receiving criminal complaints or reports), and

(g) Human resource representatives.

(2) Alleged victim: a person who allegedly has been harassed.

(3) Complainant: the person who brings a complaint of violation of this policy, who could be an alleged victim, a third party, or an academic or administrative officer of the University.

(4) Domestic/dating violence: any coercive, abusive, and/or threatening behavior toward a current or former intimate or romantic partner. These behaviors may include, for example, physical, sexual, emotional, economic, or psychological actions or threats of actions that intimidate, manipulate, humiliate, isolate, frighten, terrorize, coerce, threaten, or injure the victim/survivor.

(5) Graduate assistant: a graduate student employed by the University as a research assistant or teaching assistant.

(6) Human resources representative: the individual designated as a unit's departmental authority on human resource policies and procedures, and all central human resources staff.

(7) Instructor: a person engaged in teaching students or in evaluation or supervision, direct or indirect, of a student's academic work.

(8) Member of the University community: any University student, or faculty or staff member.

(9) Protected interests: University employment, education, on-campus living, or participation in a University activity.

(10) Respondent: a person who has been accused of harassment.

(11) Specific and credible allegations: allegations that provide factual details such as, but not limited to, time, place, actions, participants, and witnesses. Allegations do not necessarily have to be based on firsthand observation of events to be "specific and credible," but direct observation normally results in greater specificity and credibility than indirect knowledge.

(12) Stalking includes but is not limited to:

(a) Non-consensual communication including in-person communication, telephone calls, voice messages, text messages, email messages, social networking site postings, instant messages, postings of pictures or information on websites, written letters, gifts, ordering goods or services, or any other communications that are undesired and/or place another person in fear;

(b) Following, pursuing, waiting, or showing up uninvited at a workplace, place of residence, classroom, or other locations frequented by a complainant;

(c) Monitoring online activities, surveillance and other types of observation, whether by physical proximity or electronic means, attempts to gather information about the complainant;

(d) Vandalism, including attacks on data and equipment;

(e) Direct physical and/or verbal threats against a complainant or a complainant's loved ones, including animal abuse;

(f) Gathering of information about a complainant from family, friends, co-workers, and/or classmates;

(g) Manipulative and controlling behaviors such as threats to harm oneself, or threats to harm someone close to the complainant;

(h) Defamation or slander against the complainant, posting false information about the complainant and/or posing as the complainant to post to websites, newsgroups, blogs, or other sites that allow public contributions, encouraging others to harass the complainant;

(i) Posing as someone other than oneself to initiate transactions, financial credit, loans, or other contractual agreements;

(j) Arranging to meet complainant under false pretenses.

(13) Supervisor: a person who has authority either: 1) to undertake or recommend tangible employment decisions (those that significantly change an employee's employment status, such as, but not limited to, hiring, firing, promoting, demoting, reviewing performance, reassigning, and compensation decisions) affecting an employee, or 2) to direct the employee's daily work activities.

(14) Third-party complainant: a person who brings a complaint alleging that someone else has been harassed.

14.3 Scope of Policy

(Amended 7/15)

a. Acts by employees and students. The University's prohibition of harassment as defined by II-14.2 above applies to acts of faculty, other instructors, staff, or students occurring in one or more of the following circumstances:

(1) on property owned or controlled by the University or by a student organization, or;

(2) at any location, including through electronic media such as email or social networking websites, and involving any University faculty, staff, or students, provided that:

(a) The incident occurs at a University-sponsored activity or during an event sponsored by an organization affiliated with the University, including a student organization;

(b) The accused or the complainant was acting in an official capacity for the University during the incident;

(c) The accused or the complainant was conducting University business during the incident;

(d) The conduct has the purpose or reasonably foreseeable effect of substantially interfering with the work or educational performance of UI students, faculty, or staff;

(e) The conduct creates an intimidating or hostile environment for anyone who is involved in or seeks to participate in University employment, education,

on-campus living, or other University-sponsored activities; or

(f) The conduct demonstrates that the individual poses a reasonable threat to campus safety and security.

b. Acts by persons other than employees or students. The University will make reasonable efforts to address harassment of its faculty, other instructors, staff, or students by persons participating in University-related programs or activities, conducting business with or visiting the University, even if such persons are not directly affiliated with the University. Reports of harassment by visitors to campus and other persons not directly affiliated with the University should be made to an academic or administrative officer or the Office of Equal Opportunity and Diversity (319-335-0705).

14.4 Bringing a Complaint

(Amended 7/15)

a. Individuals who believe they have experienced harassment are encouraged to report it, even if they are not certain whether a violation of this policy has occurred. Reports of protected class harassment (see II-3 Human Rights) should be brought to the Office of Equal Opportunity and Diversity under this policy. Reports also may be directed separately to other offices under applicable policies and procedures as follows:

(1) Complaints that a student violated the rights of any member of the University community may be investigated under a process initiated by the Dean of Students (such as, but not limited to, the Code of Student Life;

(2) Complaints that a faculty member violated the rights of any member of the University community may be investigated under a process initiated by the Provost (such as, but not limited to, III-15 Professional Ethics and Academic Responsibility);

(3) Complaints that a staff member violated the rights of any member of the University community may be investigated under a process initiated by the Senior Human Resources Leadership Representative for the staff member's unit (such as, but not limited to, III-16 Ethics and Responsibilities for University of Iowa Staff). The Senior Human Resources Leadership Representative may appoint a designee to conduct the investigation with the approval of University Human Resources and the Office of Equal Opportunity and Diversity.

b. A complaint that this policy has been violated may be brought through informal or formal channels by any member of the University community, including a third party, or by the University itself. A complaint must state specific and credible allegations of harassment to warrant an investigation. There is no time limit for bringing a complaint; however, it may be difficult to substantiate the allegations if they are made after significant time has passed. Therefore, prompt reporting of complaints is strongly encouraged.

c. Substantial weight will be given to the wishes of the alleged victim when determining how to respond to a complaint. However, the University may investigate the allegations even without the alleged victim's consent, if circumstances warrant (such as when there are multiple complaints of harassment involving the same person or allegations are particularly egregious).

d. Anyone (victims or others) who wishes to consult with someone about a specific situation without making a complaint, or who wishes simply to learn more about enforcement of this Anti-Harassment Policy may contact any of the following offices or organizations:

(1) Office of the Ombudsperson (for faculty, staff, or students), C108 Seashore Hall;

(2) Employee Assistance Program (for faculty or staff), 121-50 University Services Building;

(3) University Counseling Service (for students), 3223 Westlawn;

(4) Women's Resource and Action Center (for faculty, other instructors, staff, students, or visitors), Bowman House;

(5) Domestic Violence Intervention Program (certified victim advocates) (for faculty, other instructors, staff, students, or visitors), 1105 South Gilbert Court, Iowa City.

These offices are exempt from the reporting requirements set forth below in II-14.5e. In addition, staff in these offices and organizations generally have professional or legal obligations to keep communications with their clients confidential. Faculty and staff in other University offices typically do not have confidentiality obligations and may be required to report allegations as described below in II-14.5e.

14.5 Informal Resolution of Complaints

(Amended 5/15; 7/15)

a. A complaint may be brought informally to any academic or administrative officer of the University (as defined above in II-14.2g(1)). If the complaint alleges harassment based on a protected classification as defined by II-3 Human Rights (race, creed, color, religion, national origin, age, sex, pregnancy, disability, genetic information, status as a U.S. veteran, service in the U.S. military, sexual orientation, gender identity, associational preferences, or any other classification that deprives the person of consideration as an individual), the complaint should be brought to the Office of Equal Opportunity and Diversity (319-335-0705).

b. The academic or administrative officer will:

(1) counsel the complainant as to the options available under this policy and, at the complainant's request, will help the complainant resolve the complaint informally and/or refer the complainant to the appropriate office as described below in II-14.6a so that the complainant may bring a formal complaint; and

(2) take appropriate interim action, which may include those actions described below in II-14.10, to address the alleged behavior and protect the health or safety of the alleged victim, complainant, and/or witnesses.

c. The following assistance is available to the academic or administrative officer:

(1) The Office of Equal Opportunity and Diversity will assist in determining whether there is a potential policy violation related to a protected classification, and whether reporting pursuant to paragraph e below is required.

(2) The Threat Assessment Team is available to assist with assessing situations and risk, planning the actions needed, and carrying out those actions. This team may be accessed by contacting Organizational Effectiveness, 121-50 University Services Building. (See also VI-32 University of Iowa Threat Assessment Program or https://hr.uiowa.edu/tat.)

(3) For situations involving students, contact the Dean of Students, 135 Iowa Memorial Union.

d. Substantial weight will be given to the wishes of the alleged victim when determining how to respond to a complaint. When a complaint is brought informally, the person(s) charged in the complaint will not ordinarily be informed of the complaint without the consent of the alleged victim unless circumstances require (such as when there are multiple

complaints against the same person or allegations are particularly egregious). No disciplinary action can be taken against a person, and there will be no record of the allegations in the person's employment or student disciplinary file, unless the person is notified of the allegations and given an opportunity to respond.

e. Any academic or administrative officer of the University who becomes aware of specific and credible allegations of harassment based on a protected classification (race, creed, color, religion, national origin, age, sex, pregnancy, disability, genetic information, status as a U.S. veteran, service in the U.S. military, sexual orientation, gender identity, associational preferences, or any other classification that deprives the person of consideration as an individual), whether through the report of a complainant (including a third party) or otherwise, shall report the allegations promptly to the Office of Equal Opportunity and Diversity for assistance in evaluating the situation and determining an appropriate course of action, even if the alleged victim has requested that no action be taken.

   If there is a supervisory relationship between the complainant and/or victim and the respondent, the appropriate course of action will include development of a plan to avoid any perceived or actual conflict of interest until the complaint is resolved.

   The initial report may be verbal, but a written report also must be made after the complaint is resolved using the Office of Equal Opportunity and Diversity Informal Harassment Complaint Resolution form, which requires disclosure of the employment or student status of the alleged victim(s), the complainant(s) (if other than the alleged victim), and the person(s) charged; the department(s) with which those persons are affiliated; a summary of the allegations; and a description of the steps taken to resolve the complaint.

   If the person alleged to have engaged in harassment was notified of the existence of the informal complaint and given an opportunity to respond, the names of the parties must be provided to the Office of Equal Opportunity and Diversity. If the person was not informed of the allegations or was not given an opportunity to respond, then the names of the parties shall not be provided to the Office of Equal Opportunity and Diversity.

f. Reasonable efforts will be made to process complaints within 21 days, giving consideration to the nature of the allegations and the circumstances surrounding the complaint process.

g. It is the responsibility of the academic or administrative officer who facilitates the informal resolution of the complaint to monitor compliance with the terms of the informal resolution. Sanctions up to and including termination of employment or separation from the University may be imposed in the event that an individual fails to comply with the terms of the informal resolution.

14.6 Investigation of Formal Complaints

(Amended 5/15; 7/15; 7/1/17)

a. A formal complaint pursuant to this policy must be brought to one of the following offices for investigation depending upon the status of the respondent and the nature of the allegations:

   (1) Protected class harassment. If the complaint alleges harassment based on a classification covered by II-3 Human Rights (race, creed, color, religion, national origin, age, sex, pregnancy, disability, genetic information, status as a U.S. veteran, service in the U.S. military, sexual orientation, gender identity, associational preferences, or any other classification that deprives the person of consideration as an individual), a formal complaint should be brought to the Office of Equal Opportunity and Diversity (202 Jessup Hall, 319-335-0705) regardless of the status of the respondent.

   (2) Other harassment. If the complaint alleges harassment that is not based on a classification covered by II-3 Human Rights (race, creed, color, religion, national origin, age, sex, pregnancy, disability, genetic information, status as a U.S. veteran, service in the U.S. military, sexual orientation, gender identity, associational preferences, or any other classification that deprives the person of consideration as an individual), a person should bring a formal complaint to one of the following offices depending on the status of the respondent:

      (a) Faculty or instructor. If the respondent is a faculty member, teaching assistant, or other instructor, a formal complaint should be brought to the respondent's collegiate dean or to the Office of the Provost (111 Jessup Hall, 319-335-3565);

      (b) Staff member. If the respondent is a staff member, a formal complaint should be brought to the Senior Human Resources Leadership Representative for the unit employing the respondent;

      (c) Student. If the respondent is a student, a formal complaint should be brought to the Dean of Students (135 Iowa Memorial Union, 319-335-1162) or the Dean of the Graduate College (201 Gilmore Hall, 319-335-2143).

b. A formal complaint may be brought after an informal resolution was not successfully reached, or may be brought immediately without pursuing informal resolution.

c. The purpose of the investigation is to establish whether there is a reasonable basis for believing that a violation of this policy has occurred. In conducting the investigation, the investigating office will make reasonable efforts to interview the alleged victim, the complainant (if other than the alleged victim), and the respondent, and may interview other persons believed to have pertinent factual knowledge, as well as review any relevant documentary evidence. At all times, the investigating office will take steps to ensure confidentiality to the extent possible.

d. When a formal complaint is brought, the respondent will be informed of the allegations, the identity of the complainant, and the facts surrounding the allegations. The investigation will afford the respondent an opportunity to respond to the allegations and evidence provided by the complainant and/or alleged victim, and to provide a statement of the facts as perceived by the respondent.

e. At the conclusion of the investigation, the investigating office will issue a written finding which will summarize the evidence gathered and state whether or not there is a reasonable basis for believing that a violation of this policy has occurred. The written finding will normally be issued within 45 days of when the complaint was filed. When it is not reasonably possible to issue the finding within 45 days, the investigating office will notify the alleged victim and the respondent that the finding will be delayed and indicate the reasons for the delay. The alleged victim and the respondent will receive a copy of the written finding, which is to remain confidential as defined below by II-14.12c. Third-party complainants will be notified only that the proceedings are concluded.

f. If the investigating office finds a reasonable basis for believing that a violation of this policy has occurred, the matter will be referred to the appropriate administrator for further consideration as outlined in II-14.7 below.

14.7 Process for Formal Disciplinary Action

(Amended 7/15)

a. The following administrators will review the finding of the investigating office:

   (1) the Office of the Provost, if the respondent is a faculty member or other instructional personnel (except graduate assistants);

(2) the office of the vice president or dean responsible for the unit employing the person charged, if the respondent is a staff member (including a graduate assistant, in which case the Dean of the Graduate College also must be notified in order to determine whether ramifications apply for the student's academic progress);

(3) the Dean of Students, if the respondent is a student (including a graduate student, in which case the Dean of the Graduate College also must be notified in order to determine whether ramifications apply for the student's academic progress);

b. The administrator may:

(1) accept all or any part of the findings of the investigating office;

(2) not accept all or any part of the findings of the investigating office;

(3) reach a negotiated settlement of the complaint with the respondent; or

(4) initiate formal disciplinary action.

c. Violations of this Anti-Harassment Policy may lead to disciplinary sanctions up to and including termination or separation from the University. Sanctions for violations of this policy should be commensurate with the nature of the violation and the respondent's disciplinary history.

d. In addition to other disciplinary action, persons who are found to have violated this policy may be required to participate in policy and behavioral expectations education. They also may be required to complete community service, enroll in a specific academic course, attend an educational workshop, and/or make restitution for economic damages caused by their behavior.

When the respondent is a faculty or staff member, the Employee Assistance Program, 121-50 University Service Building, is available to assist with locating appropriate resources. When the respondent is a student, University Counseling Service, 3223 Westlawn, is available to assist with locating appropriate resources.

e. It is the responsibility of the appropriate administrator to follow-up with the parties at a reasonable interval(s) to assess their compliance with the disciplinary and/or remedial sanctions imposed. More serious sanctions, up to and including termination of employment or separation from the University, may be imposed in the event that the individual fails to comply with the sanctions initially imposed.

14.8 Applicable Procedures

(Amended 7/1/17)

Formal disciplinary action taken in response to alleged violations of this policy by:

a. faculty members will be governed by the Faculty Dispute Procedures (III-29) and that portion of those procedures dealing with faculty ethics (III-29.7).

b. staff members will be governed by applicable Regents Merit System Rules and University policies, including III-16 Ethics and Responsibility Statement for Staff, and the applicable grievance procedures, including III-28 Conflict Management Resources for University Staff;

c. graduate assistants, when dismissal is sought, will be governed by the procedure for dismissal of graduate assistants (III-12.4). When disciplinary action other than dismissal is taken by the dean of the employing college, a graduate assistant may appeal through those procedures established for graduate assistant employees;

d. students will be governed by Student Judicial Procedure.

14.9 Isolated Behavior

This section addresses isolated behavior that does not rise to the level of a violation of this policy. However, it should be understood that a single incident can under certain circumstances constitute harassment in violation of this policy. The purpose of this section is preventative, in that it authorizes and encourages appropriate intervention designed to avoid a violation of this policy. However, this section shall not apply to constitutionally protected speech as provided in II-14.2c above.

a. Isolated behavior of the kind described in II-14.2, which does not rise to the level of harassment but which if repeated could rise to that level, demonstrates insensitivity that may warrant remedial measures. Academic or administrative officers who become aware of such behavior in their areas should counsel those who have engaged in the behavior. Such counsel should include a clear statement that the behavior is not acceptable and should cease, information about the potential consequences if such behavior persists, and a recommendation, as appropriate, to undertake an educational program designed to help the person(s) understand the harm caused by the behavior.

b. After such counseling occurs, if a person continues to engage in the conduct described above in paragraph a, he or she may be deemed to have engaged in harassment.

14.10 Protection of Alleged Victims, Complainants, and Others

a. Alleged victims will be informed of relevant procedural steps taken during the investigation and any interim protective measures taken. An alleged victim may be accompanied by a victim advocate and other support persons during the investigation process if the alleged victim so desires.

b. Throughout the investigation and resolution of a complaint, steps will be taken to protect alleged victims, complainants, witnesses, and others from harm caused by continuation of the alleged harassing behavior.

c. Retaliation against alleged victims, complainants, and/or witnesses who provide information during an investigation pursuant to this policy is prohibited by II-11 Anti-Retaliation. Reasonable action will be taken to assure that alleged victims, complainants, and/or witnesses suffer no retaliation as a result of their activities with regard to the process.

d. Steps that may be taken to protect alleged victims, complainants, witnesses, and others from continued harassment and/or retaliation might include:

(1) lateral transfers of one or more of the parties in an employment setting and a comparable move if a classroom setting is involved, and

(2) arrangement that academic and/or employment evaluations concerning complainants or others be made by an appropriate individual other than the respondent.

e. Any retaliation against alleged victims, complainants or witnesses should be reported pursuant to the Anti-Retaliation Policy (II-11). Retaliation may result in disciplinary action against the person committing the retaliatory act(s).

f. In extraordinary circumstances, the Provost, a dean, a DEO, or any vice president may, at any time during or after an investigation of allegations of harassment, suspend or partially restrict from employment any employee accused of harassment if the Provost, dean, DEO, or vice president finds that it is reasonably certain that:

(1) the employee engaged in harassment in violation of this policy, and

(2) serious and immediate harm will ensue if the person continues his or her employment. Similarly, if the respondent is a student, interim sanctions may be imposed pursuant to Section 10 of the Student Judicial Procedure.

14.11 Protection of the Respondent

a. This policy shall not be used to bring knowingly false or malicious allegations of harassment. Making such allegations may subject the complaining party to remedial and/or disciplinary action up to and including termination or separation from the University. Any such disciplinary action will be initiated by the appropriate administrator overseeing the complainant(s).

b. In the event the allegations are not substantiated, reasonable steps will be taken to restore the reputation of the respondent if it was damaged by the proceeding. The respondent may consult with the investigating office regarding reasonable steps to address such concerns.

14.12 Confidentiality

a. In order to empower community members to voice concerns and bring complaints, the confidentiality of all parties will be protected to the greatest extent possible. However, confidentiality cannot be guaranteed in all cases, and legal obligations may require the University to take some action once it is made aware that harassment may be occurring, even when the alleged victim is reluctant to proceed. Appropriate University officials will be consulted, including the Office of Equal Opportunity and Diversity when the complaint alleges harassment based on a protected classification (see II-14.5e above), and information will be shared only with those individuals who need to know it to implement this policy.

b. Alleged victims, third-party complainants, and respondents are expected to maintain confidentiality as well. They are not prohibited from discussing the situation outside of the work or educational environment. However, the matter should not be discussed in the work or educational environment.

c. Dissemination of documents relating to complaints of harassment and/or to the investigation of such complaints, other than as necessary to pursue an appeal, grievance, or other legal or administrative proceeding, is prohibited.

d. Failure to maintain confidentiality by a respondent may be considered to be a form of retaliation in violation of II-14.10c of this policy. Failure to maintain confidentiality by any party (alleged victim, third-party complainant, or respondent) may result in disciplinary action.

II. Community Policies

Chapter 15 – Physical and Sexual Abuse of Children

(1/13; amended 2/14; 4/16)

15.1 Policy

Consistent with *Iowa Code* 262.9(37), all University employees who in the course of employment receive information related to physical or sexual abuse of children must immediately report such information to the University of Iowa Police. In the case of incidents not on the Iowa City campus, local police authorities should also be called in order to avoid any delay in response.

All University employees have the obligation to report under this policy except for professions which retain obligations of confidentiality under accepted codes of ethics. Such professions include:

a. employees of the Office of Ombudsperson, as required by accepted Ombuds codes of ethics;

b. clergy, including any chaplains, as required by accepted standards of ethics;

c. attorneys as required by the rules of professional responsibility, and specifically applicable to attorneys employed to provide legal assistance to students;

d. any statutory mandatory reporter whose professional code of ethics or HIPAA restrictions prohibits reporting it, but must still continue with reporting responsibilities to the Department of Human Services as provided by *Iowa Code* 232.67–70.

15.2 Mandatory Reporters

University employees who are statutory mandatory reporters of all forms of child abuse (not just physical or sexual abuse) under state law must also fulfill their statutory obligation to report to the Department of Human Services as provided by *Iowa Code* 232.67–70.

15.3 Encouraged to Report

University employees, students, and visitors who are not statutory mandatory reporters may and are strongly encouraged to report all forms of child abuse directly to the Department of Human Services as provided under *Iowa Code* 232.67–70.

15.4 University of Iowa Employee Guidance on Child Abuse Reporting

(4/16)

What is a "child" for reporting purposes?
What is my obligation to report child abuse on campus?
What is the suspected abuse is not related to my job?
Statutory mandatory reporters vs. reporters under UI policy.
I'm a statutory mandatory reporter and I already reported to DHS. Do I also have to report under the University of Iowa policy?
I'm a statutory mandatory reporter. If I report to University of Iowa Police, do I also have to report to DHS?
Is there a "research exception" under University of Iowa policy?
When do I report?
What is "physical abuse"?
What is "sexual abuse"?
What if it's not physical or sexual abuse that I suspect?
Where do I report?
What about other crimes?
I am afraid to report. Am I protected in any way?
I still have questions. Where do I turn?

What is a "child" for child abuse reporting purposes?
A child is anyone under the age of 18.

What is my obligation to report child abuse on campus?
University employees by policy are obligated to report suspected physical and sexual child abuse in accordance with the University Physical and Sexual Abuse of Children Policy (see II-15), which requires that any employee who is aware of or suspects physical or sexual child abuse must report it to the University of Iowa Police (808 University Capitol Centre, 319-335-5022). For events occurring off campus, but in relation to University programs or property, report to local law enforcement.

As indicated below, if you are a statutory mandatory reporter because of your profession (health care, child care, mental health professional, or police) you also have your statutory obligation to report.

What if the suspected abuse is not related to my job?
The University's concern is to stop child abuse occurring on campus, or within a University program. So even if your job does not involve interaction with children, you have an obligation to report. University policy requires reporting of suspected physical or sexual child abuse, and encourages the reporting of any form of suspected child abuse in order to protect children.

Statutory mandatory reporters vs. reporters under University of Iowa policy.
Certain individuals have multiple obligations to report. So some terminology may be helpful: Statutory mandatory reporters are those persons who are obligated under *Iowa Code* Chapter 232 to report because of their occupation (generally: health care, child care, mental health professional, or police). Note that the obligation of statutory mandatory reporters is not limited to physical and sexual abuse.

All University of Iowa employees are policy reporters, and have an obligation to report suspected physical and sexual child abuse under University policy.

Note that there are persons who, because of their roles, are designated as Campus Security Authorities (CSAs). CSAs have an obligation to report crimes to UI Police for inclusion in the

annual crime report and to facilitate the issuance of a timely warning under the Federal Clery Act. Reporting suspected child abuse to the UI Police will help ensure compliance with Clery Act obligations.

I'm a statutory mandatory reporter and I already reported to DHS. Do I also have to report under the University of Iowa policy?
Yes. Reporting to UI Police assures that any necessary follow-up can occur immediately.

I'm a statutory reporter. If I report to University of Iowa Police, do I also have to report to DHS?
Yes. Employees covered as statutory mandatory reporters of child abuse under *Iowa Code* 232 also must report all forms of child abuse to the Department of Human Services in accordance with law. Failure of statutory mandatory reporters to report can result in criminal and civil sanctions.

Again, if you are covered as a statutory mandatory report under *Iowa Code* 232, you must report all forms of child abuse such as child neglect (not just physical or sexual abuse) to DHS within 24 hours.

Is there a "research exception" under University of Iowa policy?
Yes. The University of Iowa policy is based in part on *Iowa Code* 262.9(37), which requires University employees who in the scope of their employment responsibilities examine, attend, counsel, or treat a child to report suspected physical or sexual abuse. If during the conduct of a University-approved research project, a University researcher learns of past or suspected physical or sexual abuse of a child, but is not examining, attending, counseling, or treating that child, then that researcher is not required by the University of Iowa policy to report. The University researcher, however, may still choose to report (subject to any Certificate of Confidentiality restriction as described below), or may be legally required to report if he or she is a statutory mandatory reporter. University researchers are reminded that as part of the informed consent process, they shall fully inform human subject research participants of the level of confidentiality that will be afforded to the data the participants provide in the research project, including a description of when such data may be disclosed without the participant's consent. If the University has obtained a Certificate of Confidentiality from the federal government for a research project and has informed human subject research participants that the University will rely on the certificate to protect the privacy of such participants by not disclosing any data they provided during the research project that may identify such participants, then researchers involved with that research project shall not report.

When do I report?
If you suspect physical or sexual child abuse, report the situation as soon as possible to University of Iowa Police by calling 319-335-5022.

What is "physical abuse"?
"Physical abuse" is defined as any non-accidental physical injury, or injury which is at variance with the history given of it, suffered by a child as the result of the acts or omissions of a person responsible for the care of the child. Common indicators could include unusual or unexplained burns, bruises, or fractures.

What is "sexual abuse"?
"Sexual abuse" is defined as the commission of a sexual offense with or to a child as a result of the acts or omissions of the person responsible for the care of the child. The commission of sexual abuse includes any sexual offense with or to a person under the age of 18 years. Physical indicators of sexual abuse could include things such as bruised or bleeding genitalia, venereal disease, or even pregnancy.

What if it's not physical or sexual abuse that I suspect?
If you suspect child abuse other than physical or sexual abuse, and you are not a statutory mandatory reporter, you are still encouraged to report to University of Iowa Police (319-335-5022) or to the Department of Human Services (800-362-2178).

Where do I report?
On campus, everyone must report to the University of Iowa Police. Call 319-335-5022 or go to the UI Police office, 808 University Capitol Centre (basement). For events occurring off campus, but in relation to University programs or property, report to local law enforcement at 911.

Anyone, even if the person is not a statutory mandatory reporter under law, may also report to the Department of Human Services. Statutory mandatory reporters under *Iowa Code* 232 must report to the Department of Human Services (800-362-2178).

What about other crimes?
The University strongly encourages the reporting of any criminal activity to University of Iowa Police, especially if the crime may result in harm to individuals or property damage or loss.

I am afraid to report. Am I protected in any way?
Many are afraid to report because they fear retaliation or because of allegations of false reporting. Be aware that the law and University of Iowa policies (see II-11 Anti-Retaliation) forbid retaliation against employees who in good faith report child abuse, and provide immunity for civil and criminal liability for persons who are statutory mandatory reporters as well as those who are permissive reporters (those not in profession required to report under *Iowa Code* 232) as long as the report is made in good faith.

Employees of UI who report in the course of their duties, and who do so in good faith, are protected from liability by the Iowa Tort Claims Act. If you have questions, please contact the Office of General Counsel, 120 Jessup Hall, 319-335-3696.

I still have questions. Where do I turn?
Call the Office of the General Counsel, 120 Jessup Hall, 319-335-3696.

II. Community Policies

Chapter 16 – (Reserved for future use)

II. Community Policies

Chapter 17 – (Reserved for future use)

II. Community Policies

Chapter 18 – Conflicts of Commitment and Interest

(President 9/95; 2/03; 4/05; 2/06; 1/09; 8/24/12; 10/1/13; 1/14; 5/15; 7/1/17)

Note: This chapter is one of several that address conflicts of interest of various types at The University of Iowa. Others include: II-5 Consensual Relationships Involving Students, which addresses faculty-student relationships that are either prohibited or discouraged due to role conflicts; and III-8 Conflict of Interest in Employment (Nepotism), which addresses role conflicts when there is a direct reporting line between two employees. See also II-18.8 below for a complete list of policies that address or are related to conflicts of interest.

18.1 Introduction

(Amended 10/1/13)

The University of Iowa community is committed to the principle of free, open, and objective inquiry in the conduct of its teaching, research, and service missions. Further, The University of Iowa encourages its employees to engage in external activities that promote the University's mission, contribute to their professional fields, enhance their professional skills, and/or enhance the public good. However, the University also expects its employees to fulfill their University obligations first and foremost commensurate with their appointment requirements. To ensure that external activities are conducted in a manner consistent with institutional and public values, the following policy conveys expectations and procedures to ensure that University employees avoid improper conflicts whenever possible, or otherwise disclose activities for review and management.

After consultation with their relevant employees, individual units within the University may adopt more stringent rules, which must be approved by the vice president or Executive Vice President and Provost responsible for that unit. Other University policies that address conflicts of interest not covered by this policy are referenced at the end of this chapter.

It should be noted that the following rules governing outside professional activities do not apply to the intramural practice of medicine, nursing, and dentistry conducted in the Colleges of Medicine, Dentistry, and Nursing by members of those faculties according to the plan approved and regulated by the Board of Regents, State of Iowa, and specific provisions of the *Iowa Code*.

18.2 General Definition

(Amended 2/06; 10/1/13)

A conflict exists whenever personal, professional, commercial, or financial interests or activities outside of the University have the possibility (either in actuality or in appearance) of: 1) interfering with UI employees' ability to fulfill their employment obligations; 2) compromising a faculty or staff member's professional judgment; 3) biasing research or compromising, or giving the appearance of compromising, the sound professional judgment of its investigators; or 4) resulting in personal gain for the employee or employee's immediate family, at the expense of the University and/or the state.

18.3 Principles of Disclosure, Review, and Management

(Amended 4/05; 10/1/13)

Disclosure, review, and management are critical to the application of conflicts of interest and commitment policies. Under these policies, few activities that represent, or appear to represent, a conflict are actually prohibited. Rather, these rules require conflicts to be disclosed, reviewed, and managed appropriately. Disclosure may take the form of reporting a potential or actual conflict in advance of beginning an activity, at the time a conflict arises, and/or through an annual report of outside interests and activities. Depending on the type of conflict, review of a disclosure to determine whether a conflict exists may be conducted by an employee's DEO or supervisor, or by a University office or committee. If a conflict is identified, a written management plan is required to ensure that conflicts do not interfere with the integrity of employees' performance of University obligations. The appropriate method of disclosure and management varies with the type of activity as described in the Conflicts of Interest and Commitment Procedures Guidance document.

18.4 Conflicts of Commitment (Effort)

(Amended 4/05; 10/1/13; 1/14; 7/1/17)

a. Policy. All full-time regular UI faculty members, including administrators with faculty appointments, owe their primary professional commitment, commensurate with their appointment percentage, to the fulfillment of the University's mission. A "conflict of commitment" involves a situation in which a faculty member engages in an "external activity" (see II-18.4d for definition), which requires time and/or effort such that the activity interferes, or appears to interfere, with fulfillment of the faculty member's obligations to the University. Faculty members are expected to disclose potential conflicts of commitment per the guidelines below (see II-18.4e(1)). DEOs or equivalent are responsible for reviewing the disclosure and developing a management plan, if needed. Faculty members are encouraged to actively participate in external activities, but must also ensure that the activities do not compromise their ability to fulfill university duties. In general, the time allotted to external activities in lieu of university obligations and excluding "academic activities" (see definitions below), should not exceed nine business days per academic term (i.e., Fall, Spring, and Summer session for fiscal year appointments).

b. Scope of Policy.

(1) Faculty. The Conflict of Commitment policy applies to all full-time regular UI faculty members, including administrators with faculty appointments. Nothing in these rules shall be construed to require the disclosure of external activities for any period during which a faculty member is not on a University appointment (e.g., activities performed during an unpaid leave of absence, activities during the summer for academic year faculty).

(2) Professional and scientific or merit staff, or student employees, including graduate assistants. A member of the professional and scientific or merit staff, or a student employee, who engages in external activities, compensated or uncompensated, can do so during regularly scheduled work hours only if the employee uses vacation time, is on an unpaid leave of absence, or has made special arrangements with his or her supervisor.

c. Oversight of Policy. This policy is overseen by the Office of the Provost (for faculty commitment) and the University Human Resources (for staff-related circumstances). Departmental Executive Officers (DEOs) and/or equivalent supervisors play a key role in reviewing disclosures to determine whether a conflict exists and, if so, in the development and monitoring of a written management plan.

d. Definitions.

(1) "Academic activities" include activities which are often an expected part of a faculty member's professional portfolio, whether compensated or uncompensated. These activities do not typically require disclosure unless the time committed to them interferes with the performance of other assigned duties (e.g., classes, scheduled office hours). Examples of academic activities include (but are not limited to):

(a) Holding office in, or undertaking an editorial office or duties for a scholarly journal, academic press, or professional organization;

(b) Serving as a referee for a scholarly journal or an academic press;

(c) Serving on a professional review board or peer review bodies;

(d) Attending or presenting at professional meetings, workshops, colloquia, symposia, seminars, or training programs;

(e) Visiting other sites in connection with accreditation, audits, sponsored project reviews, research, or like activities;

(f) Writing or producing academically related books, articles, software and similar materials, or other creative works ordinarily considered in decisions relating to the employee's employment status or salary; or

(g) University-related public engagement.

(2) "Annual Report of Outside Professional Activities and Interests" is an annual online report completed by faculty members, including administrators with faculty appointments, for the purpose of disclosing all outside professional activities, compensated or uncompensated, from the previous calendar year. "Academic activities" are excluded from this reporting requirement.

(3) "Business day" means every Monday through Friday during regular business hours and the time on any Saturday, Sunday, or evening when a faculty member is scheduled to work, but does not include any University holiday or day that the faculty member takes a vacation day or sick leave.

(4) "Compensation" is remuneration or valuable goods received for work performed and does not include reimbursement for reasonable expenses.

(5) "Disclose" means providing written notice of a specific external activity (see definition below) in advance of engaging in the activity or whenever the situation changes to provide an opportunity for the review and management of possible conflicts or commitment and interest in the workplace.

(6) "Entity" means a non-UI organization, whether public, private, or not-for-profit.

(7) "External activities" are services to a non-University entity, whether or not related to the faculty member's professional expertise. These activities may require disclosure in advance of engaging in the activity per paragraph e(1)(c) below.

(8) "Outside professional activities" are services to a non-university entity, whether compensated or not, which involve the use of a faculty member's expertise or the practice of their profession and are not a part of the employee's position responsibilities. These activities require disclosure per paragraph e(1)(a) below before engaging in the activity.

e. Implementation of Policy.

(1) Disclosure of External Activities: This policy requires that all regular full-time faculty members, including administrators with faculty appointments, shall use the following guidelines in determining whether to submit a written disclosure of external activities to their DEO or equivalent in advance of initiating the activity (or whenever the situation changes):

(a) Outside Professional Activities (e.g., consulting with or otherwise working for a non-University entity) that take place during a standard "business day" (see definition) shall be disclosed in advance of initiating the work;

(b) Academic Activities shall be disclosed in advance only if the time required to conduct the activity interferes with the performance of assigned duties (e.g., faculty member will miss a class, regular office hours); or

(c) External Activities, which are not related to a faculty member's professional expertise, shall be disclosed in advance of undertaking the activity only if engaging in the activity requires a substantial commitment of time or compromises, or has the appearance of compromising, a faculty member's professional judgment in performing his or her University duties (e.g., teaching, research, business decision making) (see II-18.5 Conflicts of Interest in the Workplace below).

Additional disclosure may be required under different policies (see II-18.5 Conflict of Interest in the Workplace, II-18.6 Conflict of Interest in Research, II-18.8 Other University of Iowa Policies Related to Conflict of Interest, and UI Health Care Conflict of Interest and Conflict of Commitment Policy).

The existence of a conflict of commitment is not always clear-cut. University employees are expected to make a reasonable effort to determine whether their activities create, or appear to create, such conflicts. If there is any uncertainty, faculty members should consult their DEO or equivalent.

(2) Review by DEO or Equivalent: When an external activity is disclosed, the DEO or equivalent will evaluate the disclosure to determine whether: 1) a conflict of commitment exists and, 2) if yes, whether any further action is needed. The DEO or equivalent shall consider the following questions in the review:

(a) Has the faculty member made satisfactory arrangements to cover all university responsibilities during his or her absence?

(b) Has the faculty member engaged in "outside professional activities" during the current appointment year in excess of nine business days per academic term (i.e., Fall, Spring, Summer)?

(c) Does engaging in the professional activity advance the skills and abilities of the faculty member, with resultant benefit to the employing unit?

(d) Will engaging in the activity be detrimental to the unit or university?

(e) Is the faculty member in good standing and meeting expected standards of performance?

(f) Does the activity interfere or have the appearance of interfering with the faculty member's assigned duties?

When reviewing disclosures it should be acknowledged that much faculty work is conducted outside of the traditional business day and often outside of the office (e.g., course preparation, writing and other forms of research/scholarship). It can be difficult, therefore, to monitor whether the time devoted to external activities conflicts with fulfillment of a faculty member's university commitments. DEOs are encouraged to monitor whether a faculty member is meeting his or her expected performance standards when determining whether a conflict of commitment exists. Annual reviews and five-year peer reviews for tenured faculty may assist in making this determination (see III-10.7 Review of Tenured Faculty Members).

(3) Management Plan: If the DEO or equivalent determines that engaging in the external activity poses a conflict of commitment, the DEO or equivalent will work with the faculty member to develop a written management plan using a template provided by the Provost Office (https://provost.uiowa.edu/conflict-commitment). Management plan actions will vary based on the situation and may include: requiring nothing beyond documentation of disclosure, arrangements to cover all university responsibilities during his or her absence, strategies to eliminate the conflictual elements of the activity, and/or prohibition of the activity. A management strategy for a

conflict of commitment shall not include any reduction in an employee's salary and shall not otherwise take into account payments received by an employee for outside activities, unless the management strategy also includes a formal reduction in employee effort or a leave of absence from the University.

A copy of management plans related to Conflicts of Commitment shall be maintained in the employee's personnel file. No account of disclosures or management plans shall be taken into consideration at a later date when setting the annual salary of an employee, including any payments received by an employee from outside sources that are disclosed in connection with the employee's disclosure of any conflict of commitment or interest.

(4) Monitoring: An employee's disclosures and any existing management plans will be reviewed annually (e.g., at annual review), or as needed.

(5) Annual Report of Outside Professional Activities and Interests: All regular UI faculty members with a 50 percent or greater appointment, including administrators with faculty appointments, are required to complete an Annual Report of Outside Professional Activities and Interests for the previous calendar year by April 30 of each year.

f. Appeal. If an employee wishes to dispute a proposed management plan, the governing procedures for faculty are the Faculty Dispute Procedures (III-29) and that portion of those procedures dealing with faculty grievances (III-29.6); for professional and scientific staff the governing procedures are the Grievance Procedures for Professional and Scientific Personnel (III-28.4); for merit staff the governing procedures are the Merit System Members Grievance Procedures (III-28.3). Student employees may appeal through any existing contractual grievance procedures.

g. Noncompliance. Failure to disclose a conflict and/or comply with required management strategies constitutes a violation of University policy and may also violate state and federal law. Employees may be subject to sanctions for violation of this policy, including disciplinary action up to and including termination of employment.

h. Campus Education/Training. An annual notification will be sent to all UI employees by the Office of the Provost, University Human Resources, and the Office of Vice President for Research to remind the campus of the existence of conflicts of interest and commitment policies and the importance of campus compliance with the disclosure and management provisions. Additionally, campuswide resources will be available online for individuals and DEOs/supervisors regarding how to disclose, review, and manage conflicts.

i. Reporting. The University will provide initial and ongoing reports of its management of conflicts of commitment to external governance bodies as required by law and in accordance with this policy.

j. Records. Records relating to all employee disclosures and the University's review and management of such disclosures, will be maintained by the University for as long as the employee is engaging in the activity that is the subject of the disclosure and/or three years after the faculty member's termination.

18.5 Conflict of Interest in the Workplace

(Amended 10/1/13; 1/14)

a. Policy. Conflicts of interest in the workplace involve situations in which UI employees have financial interests and/or have other personal considerations with a non-university entity that may compromise, or have the appearance of compromising, their professional judgment in performing their University duties (e.g., teaching, research, business decision-making). (See also II-18.6 Conflict of Interest in Research [below] and III-8 Conflict of Interest in Employment [Nepotism].)

Examples of conflicts of interest in the workplace that require disclosure, review, and management include, but are not limited to:

(1) Owning or acquiring a financial interest in, holding a position in, or having a consulting or other relationship with, any non-university entity that supplies goods, services, or finances to the University when the employee has decision-making authority for those transactions (see also V-11.14 Conflict of Interest -- Purchasing);

(2) Promoting or providing information about goods or services to the University community when the employee or his or her immediate family has a financial interest in or other relationship with the relevant business entity (see also III-17.17(3) Royalties from Course Materials);

(3) Assuming or accepting any non-University duties requiring, or appearing to require, the use of University data, processes, procedures, or proprietary or confidential information (see also III-17.17(1) Use of University Supplies);

(4) Assigning duties or offering employment to another faculty or staff member to participate in or benefit the assigning employee's outside professional activity;

(5) Assigning duties or offering employment related to the assigning employee's outside professional activities to a student, when the student is enrolled in a course being taught by the employee or the student's academic work (including work as a teaching or research assistant) is being supervised by the assigning employee;

(6) Teaching a University course for academic credit that includes a member of employee's immediate family or a person with whom the instructor has a relationship that may compromise, or have the appearance of compromising, his or her professional judgment (see also II-5 Consensual Relationships Involving Students).

b. Scope of Policy. This policy applies to all University of Iowa employees -- faculty, staff, and student employees, including graduate assistants.

c. Oversight of Policy. This policy is overseen by the Office of the Executive Vice President and Provost for faculty conflicts of interest and University Human Resources for staff-related conflicts of interest.

d. Definitions.

(1) "Financial interest" means anything of monetary value, whether or not the value is readily ascertainable and may include compensation, equity (e.g., stock, stock options), or royalty/licensing income.

(2) "Compensation" means anything of value received in exchange for work performed and does not include reimbursement for reasonable expenses.

(3) "Immediate family" includes the employee's spouse/domestic partner and children for purposes of this policy. The definition may be different in the Conflicts of Interest in Employment (III-8) and Purchasing Conflicts of Interest (V-11.14) policies.

(4) "Prohibited activities" are activities that are impermissible in accordance with state law governing the behavior of state employees. These include, but are not limited to:

(a) Using University property or facilities in a way that may result in personal financial gain to an employee without approval of and payment to the University.

(b) Undertaking a business or research opportunity ordinarily conducted by or for the University before the University has been offered the right of first refusal. For faculty members and staff within a college, a written waiver of University interest must be obtained from the dean of the college. For other faculty or staff members, a written waiver must be obtained from the director of the unit in which the person is employed.

(c) Using University stationery or letterhead in connection with outside activities, other than activities having a legitimate relationship to the performance of the employee's University obligations.

(d) Receiving compensation without the approval of the President or the Board of Regents, State of Iowa, for serving on the board of directors of business entities when the employee is appointed to that position by the University or is serving as the representative of the University.

(e) Using University facilities or employee's position at the University, to advocate, endorse, or market a product or a service, unless in conjunction with employee's University duties or requested or approved by employee's dean or other appropriate University official.

(f) Other prohibited activities under related University policies may be found through the web links at the end of this policy (see II-18.7).

e. Implementation of Policy.

(1) Disclosure of Conflict of Interest in the Workplace: This policy requires that all University employees disclose any potential or actual conflicts of interest in the workplace in advance of initiating an activity or when the employee, in the exercise of reasonable diligence, first becomes aware of the conflict or the potential for conflict. Disclosures must be made using the online eCOI system (http://ecoi.uiowa.edu). The existence of a conflict of interest is not always clear-cut. University employees are expected to make a reasonable effort to determine whether their activities create, or appear to create, such conflicts. If there is any uncertainty, employees should consult their departmental executive officer (DEO) or equivalent, or supervisor.

Additional disclosure may be required under different policies (see II-18.4 Conflicts of Commitment, II-18.6 Conflict of Interest in Research, II-18.8 Other University of Iowa Policies Related to Conflict of Interest, and UI Health Care Conflict of Interest and Conflict of Commitment Policy).

(2) Review: Each disclosure will be reviewed by the respective Associate Dean for Faculty (for faculty), the Senior HR Representative (for staff), or other appropriate HR executive or designee. When such individual determines that a potential conflict of interest exists, the disclosure also will be reviewed by the employee's supervisor and/or DEO. A copy of the disclosure form shall be retained in the college/organizational unit.

(3) Management: If it is determined that the disclosed external activity or interest poses, or appears to pose, a conflict of interest in the workplace, the employee's supervisor and/or DEO shall work with the respective Associate Dean for Faculty or the Senior HR Representative to develop a written management plan using templates provided by the Provost Office (see https://provost.uiowa.edu/conflict-interest-workplace). The proposed plan will be forwarded to the respective collegiate dean or vice-president for review and approval. A copy of this management plan shall be shared with the appropriate parties and maintained in the employee's personnel file. Management plan actions may include: nothing beyond documentation of disclosure, strategies to eliminate the conflictual elements of the activity, and/or prohibition of the activity.

(4) Monitoring: An employee's conflict of interest disclosures and any existing management plans will be reviewed at least annually, or as needed, by the central administrative office, the employee's employing unit, and the respective dean or vice president.

(5) Annual Reporting: All 50 percent or greater regular faculty members, including administrators with faculty appointments, staff members in executive classifications, and professional and scientific classifications in pay levels 7-10 are required to complete an online Annual Report of Outside Professional Activities and Interests for the previous calendar year by April 30 of each year.

f. Appeal. If an employee wishes to dispute the proposed management plan, the governing procedures for faculty are the Faculty Dispute Procedures (III-29) and that portion of those procedures dealing with faculty grievances (III-29.6). Staff and student employees, including graduate assistants, may appeal through Administrative Review (III-28.2).

g. Noncompliance. Failure to disclose a conflict and/or comply with required management strategies constitutes a violation of University policy and may also violate state and federal law. Employees may be subject to sanctions for violation of this policy, including disciplinary action up to and including termination of employment.

h. Campus Education. An annual notification will be sent to all UI employees by the Office of the Provost, University Human Resources, and the Office of Vice President for Research to remind the campus of the existence of conflicts of interest and commitment policies and the importance of campus compliance with the disclosure and management provisions. Additionally, campuswide resources will be available online for individuals and DEOs/supervisors regarding how to disclose, review, and manage conflicts.

i. Reporting. The University will provide initial and ongoing reports of its management of conflicts of interest to external governance bodies as required by law and in accordance with this policy.

j. Records. Records relating to all employee disclosures and the University's review and management of such disclosures, will be maintained by the University for as long as the situation exists and/or three years from the employee's termination.

18.6 Conflict of Interest in Research

(Amended 2/06; 1/09; 8/24/12)

a. Policy. As a steward of the public trust, The University of Iowa is committed to the principle that its research be carried out with integrity, open inquiry, and rigorous analysis, free from outside conflicts of interest that might compromise, or give the appearance of compromising, the sound professional judgment of its investigators. This policy sets forth that position and provides a mechanism for ensuring the integrity of University research when such conflicts arise.

b. Scope of policy. This policy applies to all persons at the University who meet the definition of investigator (see paragraph d(7) below) and applies to all University activities meeting the definition of research where the activity is funded or, if unfunded, where the work involves human subjects. Designated provisions of this policy apply only to investigators applying for or conducting research funded by the Public Health Service (PHS) (including the National Institutes of Health). Investigators who conduct studies regulated by the Food and Drug Administration or who conduct research funded by the other federal agencies, including the National Science Foundation, are subject to agency-specific regulations relating to financial conflicts of interest in research. Affected investigators are advised to review such regulations prior to submission of a research proposal or application.

c. Oversight of policy. This policy is overseen by the Vice President for Research, who will appoint a Conflict of Interest Officer as the University's institutional official responsible for implementation of this policy and a Conflict of Interest in Research Committee to review and recommend to the Vice President for Research management plans for disclosed financial conflicts of interest.

d. Definitions.

(1) "Disclosure" means an investigator's disclosure of financial interests to the University related to his or her institutional responsibilities.

(2) "Entity" means a non-UI organization, whether public or private. Examples include the following: a company, partnership, professional association, voluntary health

organization, etc.

(3) "Financial conflict of interest" means a significant financial interest that is related to proposed University research (i.e., the interest reasonably appears to be affected by the research or is in an entity whose financial interest reasonably appears to be affected by the research) and that could directly and significantly affect the design, conduct, or reporting of research.

(4) "Financial interest" means anything of monetary value, whether or not the value is readily ascertainable, in any one of the following categories: compensation; equity (stock, stock options, or other ownership interest) in a public or private company; royalty/licensing income; a position in a non-UI entity giving rise to a fiduciary duty such as director, officer, partner, trustee, employee, or any position of management; or, for researchers with funding from the Public Health Service, any reimbursed or sponsored travel.

(5) "Human subjects research" means research (see paragraph d(9) below) conducted with a living individual about whom an investigator obtains 1) data through intervention or interaction with the individual or 2) identifiable private information.

(6) "Institutional responsibilities" means an investigator's professional responsibilities on behalf of the University, including, but not limited to, activities such as research, research consultation, teaching, professional practice, institutional committee memberships, and service on panels such as Institutional Review Boards or Data and Safety Monitoring Boards.

(7) "Investigator" means the principal investigator or project director and any other person, whether faculty, staff, or student and regardless of title or position, who has the authority to make independent decisions related to the design, conduct, or reporting of University research. Also includes subgrantees, contractors, collaborators, or consultants of the University.

(8) "Manage" means to take action to address a financial conflict of interest, which includes reducing or eliminating the financial conflict of interest, to ensure that the design, conduct, and reporting of research are free from bias or the appearance of bias.

(9) "Research" means a systematic investigation designed to develop or contribute to generalizable knowledge and encompasses basic and applied research and product development.

(10) "Senior/key personnel" means a PHS project director or principal investigator and any other individual who contributes to the scientific development or execution of a project in a substantive, measurable way, and who is included in the grant application, progress report, or any other report submitted by the institution, whether or not they receive salaries or compensation under the grant.

(11) "Significant financial interest" means anything of monetary value or potential monetary value held by an investigator (and by the investigator's spouse and dependent children), and that reasonably appears to be related to the investigator's institutional responsibilities, as follows:

(a) With regard to any publicly traded entity, remuneration received from the entity in the twelve months preceding the disclosure and the value of any equity interest in the entity as of the date of disclosure, when aggregated, exceeds $5,000. [For purposes of the definition of "significant financial interest," remuneration includes salary and any payment for services not otherwise identified as salary (e.g., consulting fees, honoraria, paid authorship), equity interest includes any stock, stock option, or other ownership interest, as determined through reference to public prices or other reasonable measures of fair market value.]

(b) With regard to any non-publicly traded entity, the value of any remuneration received from the entity in the calendar year preceding the disclosure, when aggregated, exceeds $5,000, or any equity interest (e.g., stock, stock option, or other ownership interest);

(c) Intellectual property rights and interests (e.g., patents, copyrights), upon receipt of income related to such rights and interests; or

(d) A position giving rise to a fiduciary duty, such as director, officer, partner, trustee, employee, or any position of management.

(e) For investigators applying for or conducting research funded by the PHS, any reimbursed or sponsored travel related to the investigator's institutional responsibilities (i.e., travel is paid on behalf of the investigator and not reimbursed to the investigator so that the exact monetary value may not be readily available). Disclosure of this interest will include the purpose and duration of the trip, the identity of the sponsor/organizer, and the travel destination.

The term "significant financial interest" does not include salary or other remuneration paid by the University to the investigator if the investigator is currently employed or otherwise appointed by the University; income from investment vehicles, such as mutual funds and retirement accounts, as long as the investigator does not directly control the investment decisions made in these vehicles; income from seminars, lectures, teaching engagements, or travel reimbursed or sponsored by a federal, state, or local government agency, an institution of higher education, an academic teaching hospital, medical center, or research institute affiliated with an institution of higher education; or income from service on advisory committees or review panels for a federal, state, or local government agency or institution of higher education.

e. Implementation of policy. Paragraphs (1) through (3)(d) of this paragraph e apply to all University of Iowa investigators and to all funded University of Iowa research, as well as to all unfunded human subjects research. Additional requirements found in paragraph e(3)(e) apply only to human subjects research, while additional requirements found in paragraph e(3)(f) apply only to PHS-funded research.

(1) Disclosure of Financial Interests.

(a) Prior to submission/initiation of research. Prior to the investigator's submission of a grant application or the University's execution of a cooperative agreement or sponsored research contract, or prior to initiation of any human subjects research, whether funded or not, each investigator is required to submit a disclosure form describing any financial interest held by the investigator, the investigator's spouse, or any dependent child of the investigator that the investigator determines to be reasonably related to the investigator's institutional responsibilities. The disclosure form will be submitted to the University's Conflict of Interest Officer, who will then review any financial interest disclosed as provided in paragraph e(2) below.

When an investigator not covered above reasonably concludes or reasonably should conclude that his/her research presents or appears to present a financial conflict of interest, the investigator must disclose that fact to the University's Conflict of Interest Officer.

In those cases where the University has determined that a financial conflict of interest exists, no research funds may be expended and no research may begin until the investigator has agreed in writing to any management plan required by the University for this research.

(b) Annual update to disclosure. Each investigator who submits a financial interest disclosure form to the University is required to update that disclosure annually during the period of the award or, for non-sponsored research, annually during the conduct of the project.

Annual updates must be submitted by April 30 of each calendar year.

It is the responsibility of the principal investigator or project director of a research project to ensure that each investigator working on/who will work on the project submits a timely annual update to a previously submitted disclosure form.

The annual update will be submitted to the University's Conflict of Interest Officer, who will then review any updated financial interest disclosed as provided in paragraph e(2) below.

(c) Updating or submitting a new disclosure in an ongoing project. When changes occur related to a financial interest in an ongoing research project, the investigator is required to update the disclosure describing that interest. This may occur, for example, where the investigator acquires a new financial interest or has changes to a previously-disclosed financial interest. A disclosure is also required when a new investigator is added to an existing project. Such disclosures must be submitted to the Conflict of Interest Officer within 30 days of the event requiring the disclosure. The Conflict of Interest Officer will then review any such interest disclosed as provided in paragraph e(2) below.

Disclosure Forms are available at http://ecoi.uiowa.edu.

(2) Review by Conflict of Interest Officer (COIO).

(a) Determination of significant financial interest. Prior to the investigator's expenditure of any funds, or prior to the initiation of the research in the case of research with no external funding, the Conflict of Interest Officer will review the disclosed financial interest to determine whether it constitutes a significant financial interest.

(b) Determination of financial conflict of interest. Upon concluding that the disclosed financial interest constitutes a significant financial interest, the Conflict of Interest Officer will review the disclosed significant financial interest to determine whether a financial conflict of interest exists and thus whether further review and management is required.

In this review, the Conflict of Interest Officer will notify the relevant dean and/or departmental executive officer of the existence of the financial conflict of interest. This notification will alert the dean and/or DEO to the existence of the financial conflict of interest in the event he or she does not support the conduct of the research project in the collegiate/departmental facilities with collegiate/departmental resources.

(3) Review by Conflict of Interest in Research Committee (CIRC). Where the Conflict of Interest Officer has determined that a financial conflict of interest exists, the Conflict of Interest in Research Committee will develop and recommend for implementation to the Vice President for Research a management plan that specifies the actions that have been and/or will be taken to manage the financial conflict of interest.

(a) In so doing, the CIRC will consider the nature of the research, the nature and size of the interest, the degree to which the conflict is related to the research, the extent to which the interest could be affected by the research, and any management strategies that would mitigate or eliminate the conflict.

(b) Management strategies may include, but are not limited to:

(i) Public disclosure of financial conflicts of interest (e.g., when presenting or publishing the research);

(ii) For research projects involving human subjects research, disclosure of financial conflicts of interest directly to participants;

(iii) Appointment of an independent monitor capable of taking measures to protect the design, conduct, and reporting of the research against bias, or the appearance of bias, resulting from the financial conflict of interest;

(iv) Modification of the research plan;

(v) Change of personnel or personnel responsibilities, or disqualification of personnel from participation in all or a portion of the research;

(vi) Reduction or elimination of the financial interest (e.g., sale of an equity interest); and

(vii) Severance of relationships that create actual or potential financial conflicts.

(c) No member of the CIRC who holds a significant financial interest in a project may participate in the review of interest or the development of a management plan for that project.

(d) CIRC meetings are closed to the public.

(e) Specific provisions applicable to human subjects research. As a general policy, the University will not allow an investigator with a financial conflict of interest to conduct a clinical research project whose purpose is to evaluate the safety or effectiveness of a drug, medical device, or treatment. In such cases, disclosure or standard conflict management strategies may be inadequate and adequate monitoring plans may be difficult or impossible to implement. This prohibition applies not only to the principal investigator of a clinical research project, but also to any investigator involved in the design, conduct, or reporting of the research. A principal investigator would thus be prohibited not only from serving in that role, but in any investigator role on the study.

The University may waive this prohibition only where the investigator provides a compelling justification for its waiver. In considering an investigator's request for waiver, the CIRC at a minimum will require the investigator to address the following points:

(i) The nature of the research project (including whether it is early-stage or closer to commercial application);

(ii) The size and nature of the investigator's financial interest;

(iii) The degree to which the financial interest is related to the research;

(iv) The extent to which the interest is or may be affected by the research;

(v) The degree of risk to participants in the research;

(vi) The investigator's proposed role in the research, including protocol design, selection of participants, administration of informed consent,

performance of protocol-mandated clinical procedures, evaluation of the effectiveness of the drug, device, or treatment, and evaluation of adverse effects; and

(vii) The existence of unique circumstances that would require the research to be performed at this institution as opposed to another (such as the unique qualifications of the investigator and/or unique resources/capabilities of the University).

If the committee finds a compelling justification for waiver of the prohibition in a particular case, a stringent management plan, including a plan for rigorous oversight of the study, will be implemented to ensure the safety of study participants and the integrity of the research.

(f) Specific provisions applicable to PHS-funded research. In addition to the requirements of this policy outlined above, the University will apply the following specific provisions to research funded by PHS:

(i) Monitoring. For PHS-funded research, the investigator'S management plan will be monitored on an ongoing basis until the completion of the research project.

(ii) Subrecipients. If the University carries out the PHS-funded research through a subrecipient, the University will incorporate as part of a written agreement with the subrecipient terms that establish whether the University's or the subrecipient's policy on conflict of interest in research will apply to the subrecipient Investigators.

If the subrecipient's policy will apply, the subrecipient will certify as part of the agreement that its policy complies with the PHS Regulations on Objectivity in Research. Additionally, the agreement shall specify time period(s) for the subrecipient to report all identified financial conflicts of interest to the University to enable the University to provide timely reports to PHS.

Alternatively, if the University's policy on conflict of interest will apply, the agreement shall specify time period(s) for the subrecipient to submit all subrecipient Investigator disclosures of significant financial interests to the University. Such time periods shall be sufficient to enable the University to comply with timely review, management, and reporting obligations under the PHS regulations.

(iii) Retrospective review. In the event the University identifies a significant financial interest that was not disclosed in a timely manner by an investigator or, for whatever reason, was not previously reviewed by the University during an ongoing research project, and where the COIO has determined that the undisclosed significant financial interest constitutes a financial conflict of interest related to a PHS-funded research project, the CIRC will review the financial conflict of interest and the University will implement a management plan for the project within 60 days of identification of that interest. In addition, the CIRC will, within 120 days of its determination of noncompliance, complete a retrospective review of the investigator's research activities associated with the project to determine whether the research conducted during the period of the noncompliance was biased in the design, conduct, or reporting of such research.

(iv) Mitigation plan. If the CIRC determines in the conduct of its retrospective review of PHS-funded research that the research or any part of it was biased, the CIRC will recommend a mitigation plan to the Vice President for Research to address any such issues. The University will notify the PHS Awarding Component of its determination and subsequently follow up with the mitigation report for the project.

(v) Public access of disclosed significant financial interest. The University will make available to the public upon request information concerning any significant financial interest disclosed to the University that meets the following three criteria:

(A) The disclosed significant financial interest is still held by the senior/key personnel of the active PHS project;

(B) The University determines that the significant financial interest is related to the PHS-funded research; and

(C) The University determines that the significant financial interest is a financial Conflict of Interest.

The information request must be made to the Conflict of Interest in Research Officer who will respond within five business days of receipt of the request. Disclosed information will be provided to the extent required by applicable PHS regulations and state law.

(g) Ongoing research.

(i) When in the course of an ongoing research project an investigator new to the project discloses a significant financial interest or an existing investigator discloses a new or changed significant financial interest, and where the COIO has determined that the disclosed significant financial interest constitutes a financial conflict of interest subject to management under this policy, the CIRC will review the disclosure and the University will implement a management plan for the project within 60 days of the submission of the disclosure to the University.

(ii) In the case of either paragraph (i) above or paragraph e(6)(c), and depending on the nature of the financial conflict of interest, the University may determine that additional interim measures are necessary with regard to the investigator's participation in the research project between the date of disclosure and the implementation of the University's management plan. Particular consideration will be given to any additional interim measures that the University's Institutional Review Board views as necessary for the protection of human participants in any ongoing research.

f. Implementation by the Vice President for Research. The Vice President for Research will review the recommendation of the CIRC and determine the final management plan to be implemented for the research. This determination will be provided to the investigator, who must accept the requirements of the management plan in writing before beginning work on the project. Copies of the signed management plan will also be provided to the investigator's departmental executive officer and dean and in the case of research involving human participants, to the Institutional Review Board.

g. Appeal. Any investigator may appeal the decision of the Vice President for Research regarding management of a financial conflict of interest in writing to the President of the University and thereafter to the Board of Regents, State of Iowa.

h. Noncompliance. Failure to file a complete and truthful disclosure as required by this policy or to comply with the conditions or restrictions imposed in the resolution, management, or elimination of financial conflicts of interest constitutes a violation of University policy and may violate state and/or federal law. In such cases, the investigator will be subject to appropriate sanctions consistent with University policies relating to faculty, staff, or other applicable disciplinary policies. In addition, the University may suspend an ongoing research project, halt the expenditure of funds, or suspend technology transfer activity to prevent continued violation of this policy. In any case in which the investigator does not comply with any applicable conditions or restrictions imposed pursuant to this policy, the University will withdraw any affected applications for funding if the project cannot otherwise be completed without the services of the investigator.

In the event the University discovers that a failure to comply with this policy has biased the design, conduct, or reporting of the research in accordance with the process outlined in paragraph e(3)., the University will promptly notify the sponsor of the research as required by applicable law and describe the corrective action(s) taken or to be taken.

i. Training. Prior to engaging in any research project, all investigators must complete training on the investigator obligations under this policy. This training must be repeated at least every four years and must be completed immediately if this policy is revised so as to affect the investigator obligations, if an investigator is new to the University, or if the University finds an investigator to have violated this policy or any applicable management plan.

j. Reporting. The University will provide initial and ongoing reports of its management of financial conflicts of interest to external sponsors of University research as required by law and in accordance with this policy.

k. Records. Records relating to all investigator disclosures of significant financial interests and the University's review and management of such disclosures, will be maintained by the University in the case of externally funded research for three years from the date of submission of the final expenditures report (in the case of grants and cooperative agreements) or three years from the final payment (in the case of research contracts), or as otherwise required by law. Such records in the case of research with no external funding will be maintained for three years from the close of the study.

l. Significant financial interests held by institutional officials. University officials who have a significant financial interest in an externally sponsored research project may not participate in the solicitation, negotiation of contract terms and conditions, oversight of the research (unless named as a member of the research team), or management of any financial conflict of interest held by members of the research team.

(See also II-27 Research.)

18.7 Institutional Conflict of Interest in Human Subjects Research

(5/15)

a. Policy. As a steward of the public trust, The University of Iowa is obligated to ensure its research involving human subjects is carried out with integrity, open inquiry, and rigorous analysis, free from potential financial conflicts of interest that might affect the sound judgment of its faculty, staff, and students. When financial interests of the University or its University officials exist and create real or potential bias to the outcome of its research, an institutional conflict of interest exists. For example, the University or one of its officials may have a financial interest in a company sponsoring research covered by this policy or may hold a proprietary interest in a product that is the subject of the research. When such research involves human subjects and the institution maintains its financial interest, the conflict of interest is presumed to be unacceptable. Such research will only be allowed to proceed at the University if there are compelling circumstances justifying the research to be conducted despite the presence of the financial conflict.

b. Scope of policy.

(1) This policy applies to significant financial and fiduciary interests of the institution or those of its University officials where such interests or activities are related to human research studies designed to answer questions about the effects or impact of a particular drug, treatment, or diagnostic/therapeutic device.

(2) This policy does not require the University to refrain from conducting business with companies which have financial relationships with the University and also sponsor human subjects research, but such relationships must be appropriately managed by making reasonable efforts to address potential conflicting interests prior to finalization of the proposed University transaction (e.g., prior to the gift, contract, or sponsored project being executed or accepted) that may give rise to a potential institutional conflict of interest (ICOI).

(3) It is the policy of the University to address institutional conflicts of interest (ICOIs) held by the University and/or its University officials through disclosure, review, elimination, or, where appropriate, management to avoid all such conflicts that are contrary to its mission as a public institution of higher education.

c. Oversight and administration of the policy. This policy is under the oversight of the Office of the President, which will appoint both an Institutional Conflict of Interest Officer and an Institutional Conflict of Interest Committee to carry out the functions specified in this policy. Administrative aspects of this policy will be carried out by the Conflict of Interest in Research Office. For matters relating to this policy, the Institutional Conflict of Interest Officer and Committee will report directly to the President or his or her designee.

d. Definitions.

(1) "Institutional conflict of interest" means financial interests of the University as an institution or of a University official acting within his or her authority on behalf of the institution, that could directly and significantly affect, or reasonably appear to directly and significantly affect, institutional processes for the design, conduct, reporting, review, or oversight of human subjects research that is designed to answer questions about the effects or impact of particular drugs, treatments, or diagnostic/therapeutic devices.

(2) "University official" includes the following individuals who, because of their respective positions with the University, have the capacity to affect, or can reasonably appear to affect, University processes for the design, conduct, reporting, review, or oversight of human subject research: the University President, provost, vice presidents, associate provosts, associate vice presidents, treasurer, controller, deans, associate and assistant deans, departmental executive officers, and the heads of centers and institutes.

(3) "Institutional oversight committees" means University committees that make decisions or recommendations regarding human subject research covered by this policy (e.g., the Institutional Review Board, the Conflict of Interest in Research Committee, and other ancillary review committees). Members are required by conflict of interest policies specific to those committees to recuse themselves from the review in the event of a conflict of interest.

(4) "University" means The University of Iowa, any of its major units, and any of its affiliated organizations as that term is defined in University policy in I-4 Affiliated Organizations.

(5) "Significant financial interest" is an interest held by or on behalf of the institution or a University official (including the University official's immediate family, individually or in aggregate) and defined below:

(a) In the case of the institution, "significant financial interest" means:

(i) Royalties or other payments from licenses or other technology transfer agreements related to University intellectual property rights, when such payments are in excess of $100,000 and received within the past 12 months from a for-profit company supporting or proposing to support a sponsored project/activity that falls within the scope of this policy;

(ii) Gifts/gifts-in-kind and donations in excess of $100,000 received within the past twelve months from a for-profit company supporting or proposing to support a sponsored project/activity that falls within the scope of this policy;

(iii) Through technology licensing activities or investments related to such activities, the University has obtained an equity or ownership interest (other than a mutual fund) in a publicly traded company worth more than $100,000 as determined by reference to publicly listed prices, received within the past 12 months from a for-profit company supporting or proposing to support a sponsored project/activity that falls within the scope of this policy; or

(iv) Any equity interest or an entitlement to equity of any value, including options or warrants, in a nonpublicly traded company whose value cannot be determined by reference to publicly listed prices (i.e., equity interest in a start-up company) and which is supporting or proposing to support a sponsored project/activity that falls within the scope of this policy.

(b) In the case of a University official, "significant financial interest" means:

(i) Royalties from licenses or other technology transfer agreements related to University intellectual property rights, when such payments are in excess of $25,000 and received within the past 12 months from a for-profit company supporting or proposing to support a sponsored project/activity that falls within the scope of this policy;

(ii) Payments, e.g., salary, consulting fees, honoraria, or gifts, in excess of $25,000 and received within the past twelve months from a for-profit company supporting or proposing to support a sponsored project/activity that falls within the scope of this policy;

(iii) Any equity or other ownership interest in a nonpublicly traded company supporting or proposing to support a sponsored project/activity that falls within the scope of this policy;

(iv) A position giving rise to a fiduciary duty in a for-profit company supporting or proposing to support a sponsored project/activity that falls within the scope of this policy.

e. Disclosure and review of significant institutional financial interests.

(1) Disclosure of interests.

(a) Interests held by the University. The Conflict of Interest in Research Office will receive on a monthly basis the following information:

(i) A list from the UI Research Foundation that includes companies that have business relationships with the University that include licensing agreements; patents; invention disclosures; royalty payments; and University ownership and/or equity interests and payment distributions.

(ii) A list from the UI Foundation of corporate donors that gave gifts/gifts-in-kind in excess of $100,000, including an indication, where known, how such gifts/gifts-in-kind are to be used to support sponsored projects/activities that fall within this policy. The list will also contain the names of those University departments and/or individuals who were recipients of disclosed gifts.

(b) Interests held by University officials. All University employees who meet the definition of University official under this policy are required to complete an online Annual Report of Outside Professional Activities and Interests for the previous calendar year by April 30 of each year and within 30 days of an event that requires disclosure.

(2) Review of significant financial interests.

(a) In consultation, when needed, with the chair of the ICOI Committee, the Office of General Counsel, and the UI Research Foundation and/or UI Foundation, the Institutional Conflict of Interest in Research Officer/Office shall be responsible for reviewing all disclosed financial interests to determine if the financial interests 1) exceed the thresholds in paragraph d(5) above; 2) is related to the research; and 3) can be directly and significantly affected by the outcome of the research. If these three conditions are met, the financial interest is deemed to be an institutional conflict of interest (ICOI).

(b) In the case of an ICOI held by the institution, the identified ICOI is referred to the Institutional Conflict of Interest Committee.

(c) In the case of an ICOI held by a University official, the ICOI Officer shall notify the University official that he or she must recuse her- or himself from any business decision, allocation of University resources or personnel, oversight or approval process that involves a company with which he or she has an ICOI that is conducting human subject research covered under this policy. If recusal is not possible in order to carry out her or his University obligations, she or he must divest the ICOI. If the University official does not wish to take the divestment route, the identified ICOI is referred to the ICOI Committee.

(3) Institutional Conflict of Interest (ICOI) Committee Review.

(a) An ICOI Committee will be established by the President or designee to consider matters referred to it in accordance with this policy and comprised of members of the Conflict of Interest in Research Committee (CIRC), with the President's designee serving as chair and at least one unaffiliated (non-University) member from the community. CIRC membership consists of faculty representation from the University colleges.

(b) This policy presumes that the University will not conduct research in the presence of an Institutional Conflict of Interest. In the event the ICOI is not eliminated, this presumption can only be rebutted where a compelling justification is presented for waiver of this policy and where an effective management plan can be implemented to fully protect human subjects and the integrity of the research.

(c) When proposing to conduct human subjects research for which an institutional conflict of interest exists, the principal investigator (PI) shall be responsible for preparing and submitting to the ICOI committee a detailed explanation of the compelling circumstances that justify allowing the research to be conducted under the auspices of the University. The PI should address specifically the following elements:

(i) A description of the research, including its current phase of development and intentions for subsequent phases;

(ii) The degree of risk posed by the ICOI to participants in the research; and

(iii) The existence of unique circumstances that would require that the research be performed at the University as opposed to another site, such as unique qualifications of the investigator and/or unique resources/capabilities of the University. The rebuttable presumption/compelling justification standard is intended to be a high bar, not readily overcome.

(d) Where the ICOI Committee determines that compelling circumstances exist to allow the research to proceed in the presence of an ICOI, the following additional criteria should be considered when evaluating an ICOI:

(i) Size and nature of the financial interest or relationship held by the University and/or University official;

(ii) How closely the interest is related to the research, and whether the interest could be directly and substantially affected by the research.

(e) If the ICOI Committee determines there are compelling circumstances for allowing the research to proceed in the presence of an ICOI, the research will be subject to stringent and effective management measures in order to provide for the safety of the human participants and the integrity of the research. The management plan will be based on a risk-benefit analysis that balances the potential benefits of the project and the institution's participation in it with the risks to subjects, risks to integrity of research data, risks of bias, and risks of the appearance of an ICOI.

(f) In developing case-specific management plans, the ICOI Committee may at its discretion include one or more of the following management strategies among any others it may devise:

(i) Disclosure of the ICOI in the informed consent processes;

(ii) Use of an external Institutional Review Board;

(iii) Use of an independent study monitor, Data Safety Monitoring Board (DSMB), or external reviewer;

(iv) Disclosure of the ICOI to the other research centers in a multicenter trial;

(v) In cases where an ICOI involves a University official, the following should be considered:

(A) Whether the University official's authority over the research and/or the people involved in its performance can be effectively and practically managed while the University official remains in the assigned leadership position;

(B) Whether the University official should be recused from decisions affecting the research, including but not limited to decisions over salary, promotion, and space allocations affecting the investigator;

(C) The designation of a "safe haven" (e.g., a nonconflicted senior individual) with whom the investigator can address ICOI concerns.

(vi) Disclosure of the ICOI by the principal investigator in presentations and publications and to all research team members.

(vii) Disclosure to sponsor of the research as required by the sponsor and all applicable regulations and laws.

(g) The ICOI Committee will provide its written recommendations for management to the President or his or her designee. The committee will state specifically who will be responsible for the plan's implementation and monitoring. The content and approval of the final management plan rests with the President or his or her designee.

f. Process for appeal. Any person negatively affected by any decision by the President under this policy may appeal to the Board of Regents, State of Iowa.

18.8 Other University of Iowa Policies Related to Conflict of Interest

(Amended 8/24/12; 2/14)

a. II-4 Sexual Harassment

b. II-5 Consensual Relationships Involving Students

c. II-33 Use of University Name

d. II-35 Prohibition on Giving and Receiving Gifts

e. II-19 Acceptable Use of Information Technology Resources

f. II-27.6 Policy on Ethics in Research

g. III-8 Conflict of Interest in Employment (Nepotism)

h. III-15 Professional Ethics and Academic Responsibility

i. III-17.7 Supplemental Activities and Extra Compensation

(1) III-17.17(1) Use of University Supplies

(2) III-17.17(2) Usurpation of Universities Opportunities

(3) III-17.17(3) Royalties from Course Materials

j. V-11 Purchasing

(1) V-11.14 Conflict of Interest

(2) V-11.15 Purchases from University Faculty or Staff

(3) V-11.22 Items Which May Not Be Purchased

k. V-30 Intellectual Property Policy Statement

l. Start-Up Company Conflict of Interest Issues/Policies
http://coi.research.uiowa.edu/files/coi.research.uiowa.edu/files/docs/start_up_guide_-_revised_052012.pdf

m. II-27.10 University of Iowa Authorship Policy

n. University of Iowa Health Care Conflict of Interest and Conflict of Commitment Policy

18.9 Federal Conflict of Interest Regulations

(Amended 8/24/12)

a. NIH Public Health Service

https://grants.nih.gov/grants/policy/coi/index.htm

b. National Science Foundation
https://nsf.gov/policies/conflicts.jsp

c. Food and Drug Administration
https://www.accessdata.fda.gov/scripts/cdrh/cfdocs/cfcfr/CFRSearch.cfm?CFRPart=54&showFR=1

II. Community Policies

Chapter 19 – Acceptable Use of Information Technology Resources

(Enacted 6/95; amended 4/99; 8/02; 9/13; 7/1/17)

19.1 Preamble

The University of Iowa's information technology resources are critical to the University's missions of teaching, research, and service. To ensure a highly robust, continuously available, fair, and effective environment that serves the University's computing needs, institutional and external standards for acceptable use must be applied. Each individual user must therefore comply with institutional and external standards for acceptable use of these shared resources. Although limited personal use of University-supplied technology resources may develop the skills of individual users and otherwise contribute indirectly to the University's mission, these resources should be used primarily for University-related research, educational, and administrative purposes. By using University information technology facilities and resources, users agree to abide by all related University policies and procedures, as well as applicable federal, state, and local law. Violations may result in University disciplinary action or referral to appropriate external authorities.

The use of University information technology resources — like the use of any other University-provided resource and like any other University-related activity — is subject to the normal requirements of legal and ethical behavior within the University community. Thus, legitimate use of a computer, computer system, or communication network does not extend to whatever is technically possible. Although some limitations are built into computer operating systems and networks, those limitations are not the sole restrictions on what is permissible. Users must abide by all applicable restrictions, whether or not those restrictions are built into the operating system or network and whether or not they can be circumvented in any way.

19.2 Scope of Policy

This acceptable use policy applies to all uses of University information technology (IT) resources. This includes the resources under the management or control of Information Technology Services (ITS) or other units of The University of Iowa, such as UI Health Care Information Systems (HCIS). A "user" is defined as any individual who uses, logs into, or attempts to use or log into, a system; or who connects to, or attempts to connect to or traverse, a network, whether by hardware or software or both, whether on campus or from remote locations. The term "user" thus includes system sponsors and system managers, faculty, staff, students, visitors, and other customers. "Information technology resources" are those facilities, technologies, and information resources required to accomplish information processing, storage, and communication, whether individually controlled or shared, stand-alone or networked. Included in this definition are all Instructional Technology Centers (ITCs), classroom technologies, electronic resources, and computing and electronic communication devices and services, such as, but not limited to, computers, printers, storage devices, mobile devices, email, fax, video, multi-media, instructional materials, and healthcare, research, and administrative systems. Personal equipment connected to the University network is also subject to this policy.

19.3 Security and Privacy

The same principles of academic freedom and privacy that have long been applicable to written and spoken communications in the University community apply also to electronic information. The University cherishes the diversity of perspectives represented on this campus and, accordingly, does not condone either censorship or the unauthorized inspection of electronic files.

The University employs various measures to protect the security of information technology resources and individual user accounts. Users should be aware, however, that the University cannot guarantee absolute security. Users should therefore engage in "safe computing" practices by safeguarding their accounts, and regularly changing and never sharing their passwords. Backup and recovery systems must be implemented in accordance with University disaster recovery guidelines, and all institutional systems must utilize security controls in accordance with best practices and University policies and procedures. The University respects encryption rights on its networks and may itself encrypt information and transactions when secure confidentiality is an obligation.

Users should also be aware that their uses of University information technology resources are not completely private as the information contained will be subject to the University's obligation to respond to subpoenas or other court orders, reasonable discovery requests, and public requests for documents pursuant to *Iowa Code* Chapter 22, the Public (Open) Records Law. All University records are subject to public record requests, unless an expressed exception in the law recognizes the confidentiality of the material, such as the exceptions provided for student, medical, or library records. By statute, public records include all "records, documents, tape or other information, stored or preserved in any medium," generated by University faculty or staff.

The Public Records statute contains no general exception for documents generated by faculty or staff in the course of their employment. As a result, the University recommends that faculty and staff refrain from keeping personal information on University systems, and utilize a personal email account for their personal communications. Additionally, users should be aware that University records that are otherwise subject to open records requests do not become confidential if they are created or stored on personally owned devices or in personal accounts. Disputes over the applicability of any confidentiality exceptions may ultimately be decided by a court of law, not by the University. While the University does not routinely monitor individual usage of its information technology resources, the normal operation and maintenance of the University's information technology resources require the backup of data and communication records, the logging of activity, the monitoring of general usage patterns, and other such activities that are necessary for the rendition of service. The University may also inspect account contents and electronic files, or monitor usage for a limited time when, and only when, there is probable cause to believe a user has violated this or other University policies. Inspections or monitoring related to violations of policy or law must be authorized in advance by the University Chief Information Officer (CIO) or a designee, or, within the UI Hospitals and Clinics, the CIO of Health Care Information Systems or a designee, in consultation with University counsel and other appropriate University officials. These investigations will be conducted with advance notice to the user, unless, after consultation with University counsel, it is determined that notice would seriously jeopardize substantial interests of the University or of third parties. In addition, a supervisor or principal investigator may request access to retrieve assigned work without notice to the employee if he or she is unavailable for timely response.

19.4 Individual Responsibilities

a. Use resources appropriately. Uses that interfere with the proper functioning of the University's information technology resources are prohibited. Such inappropriate uses would include but are not limited to insertions of viruses into computer systems, tapping a network or running a "sniffer" program, sending e-mail spam or phishing attacks, destruction of another's files, use of software tools that attack IT resources, violation of security standards, and the like.

b. Respect the rights of others. Interference with the ability of other users to make appropriate use of resources is prohibited. Such inappropriate uses include, without limitation, invading the privacy of another's files or otherwise gaining unauthorized access to the files of another. Such uses would include but are not limited to denial of service attacks, misrepresentation, forgery, password compromise, or the use of resources that affects the rights of others in violation of University policies.

c. Adhere to the EDUCAUSE Code of Software and Intellectual Rights. The EDUCAUSE Code follows: Respect for intellectual labor and creativity is vital to academic discourse and enterprise. This principle applies to works of all authors and publishers in all media. It encompasses respect for the right to acknowledgment, right to privacy, and right to

determine the form, manner, and terms of publication and distribution.

Because electronic information is volatile and easily reproduced, respect for the work and personal expression of others is especially critical in computer environments. Violations of authorial integrity, including plagiarism, invasion of privacy, unauthorized access, and trade-secret and copyright violations, may be grounds for sanctions against members of the academic community.

d. Adhere to data access policies. Accessing restricted data without permission or need to know is prohibited. Where access to restricted data is permitted, use of such data shall be limited to the purpose for which access was authorized. Secondary use of University data subject to access restriction, without adhering to the restrictions, is also prohibited. Information that carries specific access restrictions, as defined by state or federal law, statute, or other requirements, will be held confidential as needed to comply with such restrictions. Examples include but are not limited to access restrictions for personal health, education, and financial records as defined by the Health Insurance Portability and Accountability Act (HIPAA), Federal Education Rights and Privacy Act (FERPA), federal regulations on the use of human subjects in research, the Gramm-Leach Bliley Act (GLBA), and Payment Card Industry Data Security Standards (PCIDSS).

e. Adhere to software licenses. Persons loading software on any University computer or device must adhere to all licensing requirements for the software. Except where allowed by University site licenses, unauthorized copying of software licensed to the University is a violation of this policy. Users are responsible for adhering to agreements for databases licensed by the University. Individual departments are charged with the responsibility of ensuring that licensing requirements are met and for guiding the installation of personal software on departmental computers or devices.

f. Avoid excessive personal use. Personal use of information technology resources should be kept to a minimum. Personal use may be excessive if it takes place during regularly scheduled work time, if it adversely affects productivity, if it overburdens a network, if it results in substantial use of system capacity, if it subjects the institution to increased operating costs, or if it is otherwise detrimental to the University or members of the University community. Some uses will be plainly excessive in all environments, but the extent to which other uses become excessive may vary. In all instances, supervisors should provide guidance to individual users on what constitutes excessive personal use.

g. Refrain from prohibited personal uses. Information technology resources, including the University's electronic address (e-mail, web), shall not be used for personal commercial gain, for charitable solicitations unless these are authorized by the appropriate University officer, for personal political activities such as campaigning for candidates for public office, or for lobbying of public officials. (For more information on lobbying, please refer to II-32 Office of Governmental Relations and II-34 Lobbying Restrictions Applicable to Public Employees and Officials. Students should refer to the Code of Student Life.)

h. Use University name as authorized. Unless authorized to speak for the University, users should avoid creating the impression they are doing so. Electronic exchange of ideas is encouraged. However, users shall take appropriate steps to avoid the possible inference that communication of a message via the University e-mail system or other electronic communication connotes official University authorization or endorsement of the message (see II-33 Use of University Name).

i. Adhere to other University policies. Inappropriate use of information technology resources may violate a number of generally applicable University policies, including, without limitation, III-15 Professional Ethics and Academic Responsibility, III-16 Ethics and Responsibilities for University of Iowa Staff, V-31 Intellectual Property, II-3 Human Rights, II-4 Sexual Harassment, II-10 Violence, II-11 Anti-Retaliation, II-14 Anti-Harassment, V-9 Fund Solicitation, and Section IIA of *Policies and Regulations Affecting Students*. For example, viewing pornography at work violates several University policies and is therefore prohibited unless being used for a specific academic purpose. In addition, all IT policies under the oversight of the University Chief Information Officer, and published at the location Campus IT Policies are hereby included.

j. Obey external laws. Information technology resources shall not be used in a manner that violates federal, state, or local law, including without limitation the federal requirement that the University provide employment and educational environments free from race-based or gender-based hostility (see Titles VI and VII, Civil Rights Act of 1964, and Title IX, Educational Amendments of 1972); and state criminal laws forbidding harassment (IC 708.7), exhibition of obscene materials to minors (IC 728.2), rental or sale of hard core pornography (IC 728.4), official misconduct (IC 721), computer crime (IC 716A), and federal and state copyright and fair use laws. University resources used internationally may also be subject to additional laws, regulations, or treaties. Nothing in this policy prohibits the use of appropriate material for educational purposes in any accredited school, or any public library, or in any educational program in which a minor is participating. Nothing in this policy prohibits the presence of minors at an exhibition or display or the use of any materials in any public library.

19.5 Administration and Enforcement

(Amended 7/1/17)

Information Technology Services is charged with communicating this policy to the user community through partnering with major campus Information Technology providers and for providing educational programs to achieve technical proficiency and appropriate use of the resources. Requests for interpretation of the policy as applied to particular situations may be directed to the appropriate University administrator, such as the Offices of the Executive Vice President and Provost, Dean of Students, Chief Human Resources Officer, Chief Diversity Officer, Chief Information Officer, Health Care Information Systems, Information Technology Services, or to the Office of the General Counsel.

Members of the University community are strongly encouraged to report violations of this policy to any one of the following: Information Technology Services' Information Security and Policy Office, UI Health Care Information Systems, to an employee's supervisor, or, in the case of a student, to the Office of the Dean of Students. Anonymous reports of misuse of University resources may also be made through the use of the EthicsPoint website or hotline. Where violations of law are alleged, University Public Safety and/or the Office of General Counsel should be contacted. Good faith disclosures of University-related misconduct are protected by the Anti-Retaliation Policy (see II-11).

Violations of criminal law may result in criminal prosecution. Violations of University policy may result in informal or formal sanctions including, but not limited to, loss of user privileges for a definite or indefinite period, discipline up to and including termination of employment, or, in the case of a student, probation, suspension, or expulsion from the University.

Formal sanctions taken in response to violations of this policy by:

a. faculty members will be governed by the general Faculty Dispute Procedures (see III-29) and that portion of those procedures dealing with faculty ethics (III-29.7);

b. staff members will be governed by applicable Regent Merit System Rules and University policies, including, III-16 Ethics and Responsibility Statement for Staff, and the applicable grievance procedures, including III-28 Conflict Management Resources for University Staff;

c. graduate assistants, when dismissal is sought, will be governed by the procedure for dismissal of graduate assistants (III-12.4). When disciplinary action other than dismissal is taken by the dean of the employing college, a graduate assistant may appeal through those procedures established for graduate assistant employees;

d. students will be governed by the Student Judicial Procedure.

19.6 Disclaimer

The University makes no warranties of any kind, whether expressed or implied, with respect to the information technology services it provides. The University will not be responsible for damages resulting from the use of information technology facilities and services, including, but not limited to, loss of data resulting from delays, non-deliveries, missed deliveries, service interruptions caused by the negligence of a University employee, or by the user's error or omissions. Use of any information obtained via the Internet is at the user's risk. The University specifically denies any responsibility for the accuracy or quality of information obtained through its information technology facilities and services, except material represented as an official University record. The University also does not accept responsibility for removing material that some users may consider defamatory or otherwise offensive. Users should be advised, however, that dissemination of such material may subject them to liability in other forums.

19.7 Other Policies and Rules

Individual units within the University may define by written policies conditions of use for information technology resources under their control. Policy statements must be consistent in principle with this and all other University policy, but may provide additional detail, guidelines or restrictions. Such unit or departmental policies should be submitted to the Executive Vice President and Provost (for faculty), Human Resources or Vice Presidents of the University (for staff), the University Chief Information Officer, or to the Hospital Advisory Committee (for UIHC) to review for consistency with University policy. In addition, users are advised that network traffic exiting the University is subject to the acceptable use policies of our national and international network connectivity and long distance providers.

II. Community Policies

Chapter 20 – Publication Standards

(Enacted 6/95; amended 3/03; 5/04; 4/07; 11/08; 11/10; 10/11)

20.1 Rationale

(Amended 10/11)

This policy outlines the appropriate use of the University's graphic identity system (wordmark and logo) and other guidelines for external communications, print and electronic.

The University of Iowa graphic identity system provides visual continuity across University communications and helps distinguish the University from other institutions at a glance. It is an essential tool in establishing the University's brand identity.

The University of Iowa logo and wordmark are the core of the graphic identity system. They should appear in all communication projects that represent the University to external audiences.

20.2 Oversight

(Amended 11/10; 10/11)

Implementation of these graphic standards will be overseen by the Graphic Identity Committee, in the Office of Strategic Communication. The committee's membership includes select campus communications experts, including University Communication and Marketing staff members, external relations directors, and designers. This group will provide ongoing consultation, interpretation, and advice related to the application of these standards.

Requests for exceptions must be submitted to the Office of Strategic Communication, for review by the Graphic Identity Committee.

20.3 Definitions

a. A "logo" is a graphic, a pictorial, or a symbol that represents an institution.

b. A "wordmark" is a specific typeface that is used consistently for the name of an institution.

c. A "seal" is an emblem, symbol, or word used to certify a signature or authenticate a document from an institution.

20.4 The University of Iowa Wordmark and Logo

(Amended 11/10; 10/11)

The University of Iowa wordmark is a graphic representation of the words "The University of Iowa." The logo is a graphic representation of the Old Capitol dome.

With these elements, the University can achieve the goal of presenting a consistent image to external audiences without limiting design creativity and variety. The system is flexible so that colleges, departments, or programs can design their external communications within the bounds of the graphic identity guidelines.

The wordmark and logo graphics (available in a variety of layout formats on the University Brand Manual website at vpsc.uiowa.edu/brand/) must be reproduced from these authorized graphics and cannot be redrawn, reproportioned, embellished, or modified in any way.

a. Use in Print. Any publication intended for an external audience (such as prospective undergraduate, graduate, or professional students; prospective faculty or staff members; and alumni, legislators, and other friends of the University) must contain 1) The University of Iowa's wordmark and logo on the front cover, and 2) the wordmark on the back cover.

   The wordmark and logo can be used together as a single element, or they can be separated from each other. The logo and wordmark can be printed as a positive or as a reverse (white). Black, white, and gold are preferred, but another color may be used in the case of a two-color or three-color project. The wordmark, when set on two lines, may not be less than one inch wide. When set on one line, it may not be less than 1.25 inches wide. The logo should not appear smaller than 3/8 inch in height.

   The wordmark or logo is not to be used in a way that might suggest University endorsement of any non-University product or service (see also II-33 Use of University Name) unless prior approval is obtained from the Graphic Identity Committee.

b. Use on websites. All official University web pages -- including college, department, unit, and course pages -- should include the University's logo and wordmark. The logo and wordmark should be clearly displayed within the top 133 pixels of each page, and should be linked to the University's home page (https://uiowa.edu).

   Preferred colors for the logo and wordmark are black, white, or gold. When they appear together, both the logo and wordmark should be the same color. Minimum size for the logo is 31 pixels in height. Minimum size for the wordmark is measured by the initial capital "T," which must be no smaller than 11 pixels high.

c. Color palette. For a list of yellow and black colors that will print or represent the colors accurately, see the University Brand Manual. A suggested palette of colors to use on two- or three-color brochures also is available.

d. Exceptions. It may be difficult to place both the wordmark and logo on some printed pieces. The following items are exceptions to the standard placement of logo and wordmark:

   (1) Postcards (must appear on the back only),

   (2) Notecards (must appear on the back only),

   (3) Envelopes (must appear on the mailer side only),

   (4) Scholarly journals (not required on the front or back cover; suggested placement is on the inside front cover),

   (5) Bumper stickers (may be omitted),

   (6) Nametags (may be omitted),

   (7) Small specialty products such as pens, mugs, hats, and T-shirts (may be omitted), and

(8) Newspaper advertisements (use of wordmark required, use of logo strongly encouraged; see paragraph d below),

(9) Display advertising. Display ads created for University publications such as the Hancher playbill, the Division of Performing Arts programs, or other University materials in which the logo and wordmark appear on the front cover are encouraged to use the logo and wordmark but are not required to do so. Display ads created for newspapers (including *The Daily Iowan*), magazines, and other printed media must include the logo and wordmark.

For additional consultation on logo and wordmark use, contact the Office of Strategic Communication.

e. Working with outside designers. Projects developed for University units by non-University designers must comply with University graphic identity standards. Designs must comply with University identity standards.

f. Licensing Program. The University's logo and wordmark are registered trademarks. The Iowa Licensing Program protects the University's legal interests in those trademarks by controlling their proper use.

All merchandise bearing the marks of The University of Iowa (logo, wordmark, Tiger Hawk, Herky, etc.) must be licensed with the Iowa Licensing Program, which approves all designs of products entering the retail marketplace. In addition, the program ensures that all products and designs submitted for licensing project the proper image of the University and the athletics program. No retail outlet or vendors are exempt, including the IMU Bookstore, the Iowa Hawk Shop, Finkbine Golf Course, and projects sponsored by University departments or University-recognized student groups.

g. (Reserved: Standards for Official University Websites.)

20.5 The University of Iowa Seal

The University of Iowa seal is a modification of the original seal of the State University of Iowa. The seal is used on official documents, but it also may be used as a graphic element on University publications and web pages.

20.6 Use of the Identity System on University Stationery

(Amended 11/10)

The following stationery items must be ordered through Printing and Document Services, which coordinates and groups orders, allowing the entire University community to benefit from the cost savings.

a. University Letterhead. Letters are the primary way external audiences receive communications from the University, making the letterhead stationery the largest component of the graphic identity system.

The standard letterhead stationery design incorporates the University wordmark and logo in the upper left corner. Two designs with a variety of options for presenting departmental and collegiate information are available. Although not generally recommended, a second logo may be printed on the letterhead. A second logo must not be more than 3/4-inch high and must be placed in the lower right corner of the letterhead. Only one logo in addition to the University logo is permitted on the letterhead.

All letter text must fall within the margins established for the design. In this "live area," users can choose any typeface, style, or size and any letter format.

b. Business Cards. Because they are primarily exchanged with people from outside the University, business cards are an important vehicle for communicating the University's image and are another significant part of the graphic identity system. UI business cards coordinate with the letterhead and incorporate the wordmark and logo. Business cards may include name, title, office, campus address, campus phone number, fax number, home phone number, email address, and web address. Business cards are designed to be printed on one side. Additional logos may be printed on the back side.

c. Envelopes and Mailing Labels. In order to maintain University mailing permits and discount postage, University of Iowa envelopes must meet strict standards set by the U.S. Postal Service. For additional information, contact the Director of Central Mail Services, MBSB. Envelopes include the University wordmark, logo, and college/department name in the return address. Additional logos are not allowed on standard #9 or #10 envelopes or on standard mailing labels.

d. Memos. Memos may include name, title, office, campus address, campus phone number, fax number, home phone number, email address, and web address. If memos are not sent to an external audience, but are used solely for on-campus communication, they may contain a second logo.

e. Other Printed Items. Several products using the University identity system can be ordered through General Stores or Printing and Document Services. Purchasing and printing in large quantities allows all University units to share in the lowest cost. Products include folders, report covers, and preprinted brochures. A complete list and examples are available on the identity website (vpsc.uiowa.edu/brand/graphic-identity/index.html).

20.7 Other Logos and Identity Systems

(Amended 11/10; 10/11)

a. Use of Unit Logos. The UI logo and/or wordmark may not be combined within a unit logo or wordmark. If a unit's graphic logo contains the words "The University of Iowa," these words can be omitted from the unit's logo to avoid repetition of the words "The University of Iowa" on a publication or other printed materials. Unit logos may appear in external communications (and on collateral items, such as mugs, internal memos, pencils, hats, T-shirts, etc.).

Colleges, departments, centers, and institutes wishing to create a new logo should first contact the Office of Strategic Communication. Logos must be created using a professional designer and receive approval from the Graphic Identity Committee prior to use. Designs must coordinate graphically with the UI graphic identity system and must be legible (must reduce to a small size, must translate visually in a web format, and must be able to be reproduced in one color).

b. UI Health Care. University of Iowa Health Care's graphic identity system is a subbrand of The University of Iowa's system. All communications from the Roy J. and Lucille A. Carver College of Medicine and The University of Iowa Hospitals and Clinics should comply with the UI Health Care identity system. University of Iowa Health Care Marketing and Communications manages the identity system and reviews communications materials to ensure that the specifications and the general intent of the identity system are followed.

20.8 Editorial Standards

(Amended 11/10; 10/11)

a. Accuracy/Proofreading. To ensure accuracy in University publications, writers are urged to check any facts, dates, or figures closely, and to proofread all text carefully. The

Office of Strategic Communication provides resources for commonly cited facts (see https://uiowa.edu/about) and can assist in checking some facts.

b. Editorial style. The University Brand Manual includes an editorial style guide that establishes standards for clear and consistent writing directed at multiple audiences. University units are encouraged to adopt these guidelines, in particular for marketing materials and public information projects that include news stories, feature articles, and the like.

20.9 Required Notifications on Publications

(Amended 9/16)

a. Recycled paper logo. All publications of state agencies, including The University of Iowa, that are printed on recycled paper should contain the recycled paper logo developed by the Iowa Department of Natural Resources. The logo should appear on the publication, along with a statement indicating that the cover and/or contents of the publication are printed on recycled paper.

b. Nondiscrimination statement. The following nondiscrimination statement must appear in: 1) all publications describing educational programs (including continuing education programs and conferences), and 2) all publications recruiting individuals for employment or enrollment or participation in educational programs:

> "The University of Iowa prohibits discrimination in employment, educational programs, and activities on the basis of race, creed, color, religion, national origin, age, sex, pregnancy, disability, genetic information, status as a U.S. veteran, service in the U.S. military, sexual orientation, gender identity, associational preferences, or any other classification that deprives the person of consideration as an individual. The university also affirms its commitment to providing equal opportunities and equal access to university facilities. For additional information on nondiscrimination policies, contact the Director, Office of Equal Opportunity and Diversity, the University of Iowa, 202 Jessup Hall, Iowa City, IA 52242-1316, 319-335-0705 (voice), 319-335-0697 (TDD), diversity@uiowa.edu."

c. Fair Information Practices Act. According to Chapter 22 of the *Code of Iowa*, notice must be given when the University requests personally identifiable information from a person, other than the kind of information appearing in the University directory.

(1) The notice should include the following:

(a) Why the information is being requested;

(b) Whether the information will be routinely disclosed outside the University, and if so, to whom;

(c) Which information being requested is optional; and

(d) What will happen if the information is not provided.

(2) The following are examples of this kind of notice:

(a) "The University is asking you for the information on the attached reply card to help us stay in touch with you and send you information that might be of interest. Persons outside the University are not routinely provided this information except for directory information, such as name and local address. Although responses to items marked 'optional' are optional, responses to all other items are required in order for us to take action."

(b) "The University of Iowa requests this information for the purpose of processing registration and CEU records. No persons outside the University are routinely provided this information. Responses to items marked 'optional' are optional; responses to all other items are required. If you fail to provide the required information, the University may be unable to process your registration and CEU records."

II. Community Policies

Chapter 21 – Licensing

(Amended 5/15)

21.1 General

The University of Iowa prohibits the use of any of its wordmarks, trademarks, logos, and/or all symbols associated with the University of Iowa without express written approval. Any approved use is subject to the licensing provisions of this procedure. For purposes of this policy, this prohibition includes but is not necessarily limited to all registered marks to the University's name, abbreviations, symbols, emblems, logos, mascot, slogans, official insignia, uniforms, landmarks, still and moving images, or songs.

The Trademark and Licensing Office shall regulate and protect the use of the University's wordmarks, trademarks, logos, and/or all symbols ("trademarks") associated with the University of Iowa, both on and off campus.

21.2 External Use of University Trademark

Only an officially licensed vendor shall produce merchandise, products, and/or items bearing the University's trademarks associated with the University of Iowa. "Officially licensed vendors" and other University vendors may not always be the same. For a current list of officially licensed vendors, contact the Trademark Licensing Office.

Manufacturers, companies, and/or individuals ("entity"/"entities") creating merchandise, products, and/or items for sale or distribution may use University trademarks only after entering into a specific license agreement with the University, which then designates that entity as an officially licensed vendor. If interested in applying for a license, apply online at http://uilicensing.com.

Entities using any University trademark for advertising or promotional purposes in any format must first obtain written permission from the Trademark Licensing Office. In most cases, a royalty or usage fee will be assessed. Permission is typically granted for a specific length of time; no open-ended approval will be granted. Acceptable appearance and usage criteria shall be applied.

The trademarks of the University will not be used in association with gambling, alcoholic beverages, tobacco products, "recreational" drugs, drug-related paraphernalia, or sexual references. The University reserves the right to prohibit other uses that it deems inappropriate or inconsistent with the image and mission of the University.

21.3 Internal Use of University Trademark

Departments of the University and student organizations desiring to create merchandise, products, and/or items, regardless of distribution means, which bears a University trademark must use an officially licensed vendor.

Specific information for University colleges and departments and for student organizations can be found under the "Licensing Policies" tab at http://uilicensing.com; applications and agreement forms can be found under the "Internal Request Forms" tab.

21.4 Legal Protection and Enforcement

Federal, state, and common laws govern the University's rights to its trademarks. These laws place an obligation on the University to control its trademarks to avoid misrepresentation of the University's relationship to a product or service. Without proper control, the University risks losing its exclusive rights to its trademarks. Licensing others to use the trademarks and monitoring their use provides the needed control.

Legal protection and enforcement of the University's trademarks shall be the responsibility of the Trademark Licensing Office with the advisement of the Office of the General Counsel.

Merchandise, products, and/or items bearing University trademarks and produced without proper written University authorization may be considered counterfeit or infringing and subject to all available legal remedies, including, but not limited to, seizure of the merchandise, products, and/or items.

If you have questions, contact The University of Iowa, Trademark Licensing Office, 310 Karro Athletic Hall of Fame, 2425 Prairie Meadow Drive, Iowa City, IA 52246, 319-384-2000, uilicensing@hawkeyelicensing.com.

See also http://uilicensing.com.

II. Community Policies

Chapter 22 – Extreme Weather Protocol

(President 3/18/91; amended 9/93; 12/01; 4/11; 7/1/17)

22.1 General Policy

(4/11)

Whenever possible, the University continues to function during inclement weather. Regularly scheduled classes meet to the extent that students and faculty are able to travel to campus and attend classes. Units of the University providing essential services must remain open and in operation. These include University Hospitals and Clinics, Dental Clinics, Public Safety, University Housing and Dining, State Hygienic Laboratory, and Facilities Management. Staff in these units will be expected to make every reasonable effort to report to work. Administrative functions on the campus continue to the extent that faculty, staff, and administrators can travel to and conduct business on campus. Individuals should use good judgment and avoid serious risks in traveling to campus or in attending classes.

22.2 Procedure for Postponing or Canceling University Activities

When weather conditions are so extreme that central administration decides it is necessary to postpone or cancel any University activity, the public will be notified as follows: the Vice President for External Relations (or designee) will inform the relevant administrators in The University of Iowa Hospitals and Clinics, College of Dentistry, Oakdale Campus, Office of the Executive Vice President and Provost, and Continuing Education and make a public announcement on the status of University activities except for announcements concerning the University Hospitals and Clinics and the University Dental Clinic which will be made by the UIHC Joint Office for Marketing and Communications and the College of Dentistry. If cancellations are to be announced, care will be taken to make a public announcement at the earliest possible time.

22.3 Attendance During Extreme Weather Conditions

(Amended 12/01; 7/1/17)

University employees will be expected to make every reasonable effort to report to work as scheduled, even in severe weather conditions. When provided advanced warning, employees are expected to anticipate difficulties and delays in transportation. Upon evaluation of their individual circumstances, employees are expected to make reasonable judgments to avoid serious risks when traveling to and from work. Employees are encouraged to actively communicate with their supervisor or other proper authority regarding their timeliness and attendance during extreme weather conditions, in order to assure proper staffing. When delayed, employees may be expected to report to work as soon as they become available, unless otherwise excused by their supervisor, in order to meet operational needs. Supervisory staff are expected to utilize their discretion reasonably and humanely in relation to this policy.

Absences due to severe weather conditions may be addressed in the following manner, as applicable:

a. Employees may be authorized to perform work at home or an alternate location, to the extent such is available, practical, and feasible, and provided appropriate accountability.

b. Employees may be authorized to make up the time absent through an alternate work schedule within the same work week.

c. Employees may utilize accrued compensatory time (merit) or accrued annual leave (vacation), if available, to remain in pay status, or be placed on leave without pay.

(See also III-22 Absences.)

II. Community Policies

Chapter 23 – Treatment of Alumni Records

(Amended 9/93; 10/94; 8/01; 1/03)

23.1 Definitions

a. Alumnus, Alumna, Alumni, Alumnae. For purposes of this policy, these terms refer to any person who holds a degree or a certificate from the University. Persons who have attended but have not completed a degree at The University of Iowa are called Former Students. Other individuals interested in The University of Iowa are referred to as Friends.

b. Alumni Records. The Alumni Records portion of the UI Foundation's Institutional Advancement Database includes any information concerning an alumnus/alumna that is maintained by the Division of Alumni Services. Alumni Records, however, do not include information from the education records of former students except information classified as "directory information" under the policy on treatment of student education records of alumni (see IV-6.1c). Information from Alumni Records retains its character as an alumni record when it is in the possession of a University academic or administrative office or a University-affiliated organization so long as it is maintained separate from the confidential education records of the person to whom the alumni record relates.

c. Public Information. The following categories of "directory information" are considered public information: preferred title, name, current residence, telephone numbers, email addresses, degree(s) granted from The University of Iowa, major field(s) of study at the University, and college(s) from which the degree(s) was (were) granted. When individuals want their addresses (residential, business, and email) and/or telephone numbers to be kept confidential, their requests are coded and honored. Alumni, contributors, friends, and student ID numbers and/or social security numbers remain confidential. When individuals request to be dropped from all University mailings, specific collegiate or departmental mailings, or specific University-affiliated organization mailings, their requests are coded and honored.

23.2 Disclosure of Information in Alumni Records to the Alumnus/Alumna

The Division of Alumni Services will permit each alumnus/alumna to inspect and review Alumni Records on the Institutional Advancement Database pertaining to him or her.

This information will be made available in the Division of Alumni Services during normal office hours and upon request of an alumnus/alumna by mail, fax, or telephone.

Information may be copied. A reasonable charge may be made for services and supplies associated with machine copying of the requested information.

23.3 Disclosure of Information in Alumni Records to University Offices and University-Affiliated Organizations

a. Alumni Records contained on the Institutional Advancement Database are available to academic and administrative offices of the University, The University of Iowa Alumni Association, and The University of Iowa Foundation for uses consistent with their duties and responsibilities.

b. A requester of such information should submit a written statement that indicates the proposed use of the requested material to the Division of Alumni Services or to The University of Iowa Foundation's Information Technology department, depending upon its intended use.

c. A reasonable charge may be made for special coding and/or research of select groups of alumni, data processing, machine copying services, and supplies associated with providing requested information from Alumni Records to a University office or a University-affiliated organization.

23.4 Disclosure of Information in Alumni Records to the Public

(Amended 1/03)

a. The Division of Alumni Services will permit public inspection of the Alumni Records contained on the Institutional Advancement Database which meets the definition of "public information." (See II-23.1c.)

b. Copies of public information will be made available in the Division of Alumni Services office during normal office hours and upon request by mail, fax, or telephone. The requester may be required to pay a reasonable fee for copies.

c. If a requester of public information desires it in a form that requires special coding and/or research, programming, or processing of Alumni Record files, the requester should submit a written request to the Division of Alumni Services with instructions. Compliance with the request will be determined by whether the request is consistent with applicable law after taking into consideration, when applicable, the capacity of the Division of Alumni Services to fulfill the request.

d. An additional reasonable charge may be made by the Division of Alumni Services for services when examination of records involves extraordinary use of staffing time in supplying and supervising the examination of records, or for special coding and/or research, data processing, programming, and machine copying services associated with providing requested information from Alumni Records.

e. Appeal from a decision of the Division of Alumni Services may be made to the Vice President for Student Life.

23.5 Mailing to Alumni

a. The Division of Alumni Services, utilizing The University of Iowa Foundation's Information Technology department, maintains an on-line file, called the Institutional Advancement Database, of University graduates as well as contributors and other friends of the institution. This file is updated daily. File information on University of Iowa graduates includes preferred title, name, current residence and/or business and email addresses and telephone numbers, degrees received and years they were received, colleges, and majors. When individuals want their addresses and/or telephone numbers to be kept confidential, their requests are coded and honored. Alumni, contributors, friends, and student ID numbers and/or social security numbers remain confidential. When individuals request to be dropped from all University mailings, specific collegiate or departmental mailings, or specific University-affiliated organization mailings, their requests are coded and honored.

b. This record, or appropriate portions of it, may be used by any University college or department or affiliated agency with prior approval. A requester of such information should submit a written statement which indicates the proposed use of the requested material to the Division of Alumni Services or to The University of Iowa Foundation's Information Technology department, depending upon its intended use. If a requester of such information desires it in a form which requires special coding and/or research, programming, or processing of alumni record files, a reasonable charge may be made by the Division of Alumni Services and/or The University of Iowa Foundation's Information Technology department.

c. In the interest of economy, accuracy, and efficiency, colleges and departments use the Institutional Advancement Database's master Alumni Records rather than maintaining separate records of alumni names and addresses.

II. Community Policies

Chapter 24 – Memorial or Honorary Gifts

(Amended 9/93; 9/13)

24.1 Through the University of Iowa Foundation

The University of Iowa Foundation was organized in 1956 to help the University meet needs beyond those provided for by state support. The University of Iowa Foundation is the University's preferred channel for private contributions. Memorial or honorary gifts may be made to support any area of the University in honor or memory of deceased alumni, family, friends, faculty, or staff members.

Contact the University of Iowa Foundation for specific language which will ensure that gifts of a "deferred" nature are directed to the State University of Iowa Foundation.

24.2 Through the University

Memorial or honorary contributions can be made directly to the University if the donor prefers. In such cases, the initial contact is Treasury Operations. For large gifts, separate accounts are set up, with investment income expended in accordance with the wishes of the donors. For smaller gifts, the principal is expended as the donors direct. (See also V-1.2.)

(See also I-3.6 The University of Iowa Foundation; V-2.3a Transfers to The University of Iowa Foundation; V-3 Deposits and Expenditures of Funds in Allied Organizations; V-5.6 Gifts and Grants.)

II. Community Policies

Chapter 25 – Environmental Health and Safety Office

(Amended 9/93; 6/01; 7/1/08)

25.1 General Purpose

The Environmental Health & Safety Office is maintained by the University for the protection of the health and safety of students and staff. The office reports to the Office of the Vice President for Research.

25.2 Administration of Workplace Safety Programs

The Environmental Health & Safety Office (EHS) is responsible for the administration of biological, chemical, general safety, radiological, select environmental programs, and other programs deemed necessary for the health and safety of the University community. The standards by which workplace environments are judged are federal, state, and local regulations.

25.3 Enforcement of Health and Safety Standards

The Environmental Health & Safety Office will recommend, administer, and implement University policy, enforce standards for health and safety within its jurisdiction, exercise surveillance over appropriate issues of health and safety, review plans for new construction and remodeling of University buildings and facilities as directed, and advise the Vice President for Research on the status of the various safety programs.

II. Community Policies

Chapter 26 – University Employee Health Clinic

(Amended 4/14)

The University Employee Health Clinic (UEHC) partners with the Environmental Health and Safety Department (EHS) and other safety personnel in identification of work-related hazards, monitoring occupational safety and health, and infectious work-related disease control and prevention for UI Health Care and other University employees. To achieve these goals, the UEHC provides University employees with applicable services that may include hearing, tuberculosis, and pulmonary function screenings; evaluation and management following exposures to chemical hazards, infectious agents, and blood-borne pathogens; and targeted pre-employment health screenings. In addition, UEHC partners with UI Wellness in offering health promotion services including influenza immunizations and blood pressure screening. Additional information is available on the UEHC website at www.uihealthcare.org/uehc/.

II. Community Policies

Chapter 27 – Research

(Amended 9/93; 10/95; 9/97; 10/99; 1/02; 8/02; 11/06; 1/08; 1/09; 3/10; 10/10; 2/12; 5/12; 3/13; 4/13; 8/14; 11/16; 1/17; 4/17)

27.1 Principles for Determining the Suitability of Research Done in the University

(President 7/20/84; amended 11/06; 3/10; 11/16)

a. General Considerations.

(1) "Research" means a systematic investigation, including research development, testing, and evaluation, designed to develop or contribute to generalizable knowledge. As used in this policy, "research" also includes other scholarship in which new knowledge or creative works are generated.

(2) "Proprietary" means something exclusively owned by an individual or organization (e.g., patent, trade secret, or copyrighted information) which cannot be used by or shared with other parties without approval by the owner.

b. All research conducted under the auspices of the University shall be proposed and carried out within a regular department or recognized center, or through the cooperation of several departments, to be led by or under the supervision of a member of the University faculty or professional staff.

c. Appropriateness of sponsored research. All research conducted in the University is expected to be consistent with one or more of the objectives of the University: the education of undergraduate, graduate, and postdoctoral students; the advancement of knowledge through research and scholarship; the preservation and dissemination of knowledge; and public service. The mere availability of funds for research is not a sufficient justification for a research project to be conducted in the University.

The terms of any grant or contract for research shall permit flexible operation under regular University policies and procedures, provide for reimbursement of the direct as well as facilities and administrative (indirect) costs, conform to the provisions of the University's Patent Policy (V-30) and Principles Governing Access to Research Information (II-27.2 below), and, in general, permit the University to exercise administrative control and responsibility for the work.

The Division of Sponsored Programs, a unit within the Office of the Vice President for Research, has the responsibility to approve all applications, budgets, budget revisions, and final research agreements. This process applies to all externally funded research, irrespective of funding source.

d. Dissemination of research results. To ensure that the University and the investigator are not subject to external control, results of the research must be able to be freely discussed in an appropriate forum (scholarly meeting or journal). However, exceptions may be granted for legitimate scholarly reasons. "Legitimate scholarly reasons" do not include efforts to suppress results simply because they are contrary to the business interests of the sponsor, but may include, for example:

When justified by legitimate considerations related to the research, the Vice President for Research may approve contractual arrangements that could lead to excessive publication delays or other restrictions. The Vice President for Research shall obtain a recommendation from the University Research Council when contract terms do not allow the publication of non-proprietary information without third-party approval. Requests for the Vice President to approve such contractual arrangements should include:

NOTE: Under no circumstances should a faculty member engage a student in a project governed by an extended publication delay agreement or other contractual arrangement that could present a barrier to the timely submission of the student's thesis or dissertation to the institution or materials therein for publication.

(1) To allow the sponsor the opportunity to protect any proprietary interest, the sponsor will be given a reasonable period (normally not to exceed 90 days) to identify existing proprietary information that should be removed or to begin the process of filing patents on new information prior to dissemination of the results of the research.

(2) Long-term and collaborative projects in which premature release of preliminary results may be prejudicial to the outcome of the research may justify the delay of publication for a reasonable but not unlimited time. An example is a multi-site study for which a publication committee receives data from participating sites and makes decisions about joint publications. Such delays are not considered excessive if based on appropriate collaboration and consultation with members of the research team from other institutions.

(3) Publication review and approval may be performed by a multi-institutional academic research consortium for purposes of assuring proper scientific rigor and professional standards such as statistical analysis of data, inclusion of appropriate co-authors, and protection of individual research subject identifiers.

(4) the rationale for the request,

(5) a description of who will have authority over publication decisions and the justification for this authority,

(6) a statement of the provisions that will allow the investigator to publish within a defined period of time,

(7) measures to provide timely information to the medical community if suppressed information could affect the health and safety of research subjects or patients, and

(8) a listing of overlapping research activities (e.g., funded by other grants and/or contracts) that may be impacted by the proposed restrictions and how these restrictions might affect these other projects.

e. Industry-sponsored grant and contract agreements.

(1) The University of Iowa is supportive of conducting industry-sponsored research, provided that such research serves the public interest and is compatible with the goals, objectives, and traditions of the University (see paragraphs a and b above).

(2) Research agreements with industry for clinical research involving investigational drugs or medical devices should incorporate administrative provisions (indemnification and subject injury reimbursement) to ensure that there are safeguards to protect the University from medical costs, claims, and suits from the adverse effects of the study. Waiver of indemnification and subject injury reimbursement requires concurrence by the DEO, dean, and Vice President for Research.

f. Fee-for-service contracts. The University recognizes that faculty and professional staff may, as part of their University employment, engage in activities that draw upon their professional expertise but do not represent research as defined within this policy. This body of work is best described as "fee-for-service" when the product is the provision of professional services without the element(s) of research. These activities may represent a range of services such as providing professional consultation or training services, conducting defined laboratory analyses, or conducting a program evaluation for a client with the end product being a proprietary report.

When faculty and professional staff request that the University enter into fee-for-service contracts for the purpose of providing professional services to an outside sponsor, the contract shall be routed for approval by the department, college, and a designated institutional official (Office of the Vice President for Research or Business Manager). In reviewing such agreements, a determination will be made as to whether the work contributes to one or more of the University's nonprofit missions. Fee-for-service work may be subject to unrelated business income tax if it does not meet the nonprofit mission of the University.

The statement of work and final product of fee-for-service agreements may contain proprietary restrictions. However, information on the existence and nature of such agreements, including the name of the principal investigator, the project title, the amount and source of funding, and the project time period will be available through the Division of Sponsored Programs (DSP) database in accordance with II-27.3 below. Also, non-proprietary findings associated with the work performed must be freely communicable consistent with II-27.2 below.

g. Enforcement of these provisions.

(1) Responsibility for ensuring compliance with the foregoing provisions in each specific instance of research must necessarily be shared among principal investigator, departmental executive, collegiate dean, and central administrative officers.

(2) If the responsible parties referred to above, or any other member of the University community, should disagree about the appropriateness of a particular research proposal and/or its terms and conditions, they will detail in writing to the Vice President for Research their points of disagreement and explain the basis for their position in reference to the specific clauses of this policy.

(3) If disagreement about the appropriateness of a research proposal persists, the Vice President for Research will consult with the University Research Council and may also consult with other senior University administrators as he or she deems appropriate in reaching a decision.

27.2 Principles Governing Access to Research Information

(President 7/20/84; amended 8/99; 11/06)

a. General. The University of Iowa exists primarily for expanding and disseminating knowledge. Therefore, research activities which are subject to indefinite suppression, censorship, or control by a body outside the University ordinarily are not, and should not be, conducted within the University. Where the advancement of science and other considerations, such as the proper protection of the proprietary rights of research sponsors, make restrictions on the access to research information unavoidable, such research activities may be permitted provided that public knowledge is available about the purposes of the research, the identity of the investigators, the amount and sources of funds to be expended, and the University facilities utilized in the research.

Unless specifically excepted by the Vice President for Research in consultation with the University Research Council, the contents of a funded proposal and related research outcomes will be available for inspection in accordance with II-27.3 below.

b. Policy on secret research. "Secret research" is defined in this policy as research for which the nature, purpose, and non-proprietary results are not freely communicable. No faculty, staff, administrative officer, or student of The University of Iowa may utilize University facilities for the purpose of engaging in secret research. As used in this policy, "secret research" includes activities designated as "classified" by the federal government. Maintaining the confidentiality of proprietary information does not constitute secret research.

c. Restrictions on research participation, access, and dissemination. Research conducted by faculty, staff, and students of The University of Iowa is public domain "fundamental research" as that term is defined in National Security Decision Directive (NSDD) 189. When proposed University research involves information, technology, or other materials that are subject to applicable export control laws and regulations, thereby restricting dissemination of results and access to and participation in research activities by foreign nationals, acceptable language pertaining to the application of export control requirements must be negotiated with the sponsor prior to the University's acceptance of the award and conduct of the research.

(1) The conduct of research in compliance with applicable export control laws or regulations, including the International Traffic in Arms Regulations (ITAR) and the Export Administration Regulations (EAR), shall not be deemed to be in conflict with the University's prohibition on conducting secret research.

(2) Compliance with federal select agent laws or regulations shall not be deemed to be in conflict with the University's prohibition on conducting secret research.

(3) The acceptance of confidentiality restrictions on proprietary information if non-proprietary research results may be freely published shall not affect the status of any University research project as public domain fundamental research.

d. Enforcement. Although it is the responsibility of the Office of the Vice President for Research to ensure that this policy on access to research information is enforced when negotiating grant or contract terms and conditions, it is also the responsibility of principal investigators to call to the attention of the Office of the Vice President for Research any restrictions of which they are aware in grant or contract clauses proposed by sponsors. If questions regarding a project's compliance with this policy arise, or if an investigator requests a waiver of this policy, the Vice President for Research will consult with the University Research Council and may also consult with other senior University administrators as he or she deems appropriate in reaching a decision.

e. Protection of faculty and staff rights. This policy statement should not be construed to restrict the activities of University personnel who provide private consulting or other professional services outside of their University responsibilities and, in doing so, do not use University resources or facilities.

27.3 Process for Access to Research Information

(Amended 11/06)

a. Access to database information. The Division of Sponsored Programs maintains a database of pending and active sponsored research activities conducted at The University of Iowa. This database specifies, for each sponsored research project in the University, the name of the principal investigator, the project title, the amount and source of funding, and the project time period. It is intended to give additional force to those provisions of University policy which prohibit secret research in the University. Requests for public access to information contained in this database are governed by the Iowa Open Records Law (IC 22) and V-17 Records Management.

b. Access to grant-related materials. The University has a commitment to create and disseminate knowledge. The University also has the responsibility to assist its research investigators and sponsors in the protection of their intellectual property. It is, therefore, the policy of the University to permit access by the public to the scholarly materials relating to funded grants and contracts in accordance with the Iowa Open Records Law while also recognizing the need to protect intellectual property rights. Should the requestor of the information conclude that any deletions are without foundation, this issue should be addressed to the Office of the General Counsel. In such instances the General Counsel may consult specialists in the specific field of inquiry, within or outside of the University, with the understanding that the specialists will keep confidential whatever is learned from examining the materials.

27.4 General Policy and Procedures for Review of Research Projects Involving Use of Human Subjects

(President 8/7/75; amended 9/97; 11/00; 6/01; 8/02)

It is the general concern of the University that no research done under the jurisdiction of the University expose persons who participate as subjects or respondents to unreasonable risks to their health, general well-being, or privacy.

Specifically, the University is concerned that in all research and related activities involving the use of human subjects: 1) the rights and welfare of the individuals involved are adequately protected; 2) the participation of the subjects is based on freely given, legally effective informed consent; and 3) the risks to the subject are reasonable in relation to the sum of the benefit to the subject and the importance of the knowledge to be gained as to warrant a decision to allow the subject to accept these risks.

Therefore, all research and related activities involving the use of human subjects must be submitted for prior review by the appropriate University Institutional Review Board (IRB) to ensure that the above conditions are met.

Primary responsibility for assuring that the rights and welfare of research subjects are protected continues to rest with principal investigators conducting the research. Others engaged in the conduct of the research share this responsibility. Teachers who assign or supervise research conducted by students have an obligation to consider carefully whether those students are qualified to adequately safeguard the rights and welfare of subjects.

The University has provided the federal government with a formal commitment to ethical and appropriate review and conduct of human subjects research in a document entitled "Federalwide Assurance of Protection for Human Subjects." The detailed University policy and procedures are described in a manual entitled "Investigator's Guide to Human Subjects Research." Both documents are available via the World Wide Web or in hard copy from the Human Subjects Office.

27.5 Administrative Surveys and Questionnaires

(President 11/9/78; amended 8/99; 4/01; 6/01; 1/17; 4/17)

a. The use of administrative surveys and questionnaires involves several issues that are very important to the University community. The need for the information gained from administrative surveys and questionnaires is occasioned by the responsibility of the University to conduct its affairs in an accountable and open manner. The University has a responsibility to account to the academic community, to public bodies, and to the public, not only for its expenditures of funds, but also for the acts and decisions that it undertakes on behalf of the academic community and the public.

b. In addition to the institution's academic and public accountability, the University has an obligation to respect and safeguard the individual rights and freedoms of members of the community and of the larger society. Individual privacy is one such concern. Freedom of thought and expression are also important because they are inseparable from the freedom to teach and conduct research.

c. For these reasons there is a need for regular and consistent review of the written surveys and questionnaires undertaken by University administration. Many research questionnaires in the University will come within the purview of the Human Subjects Institutional Review Boards (IRBs) (see II-27.4). However, the jurisdiction of these committees extends only to the research context and the nature of review centers on the degree of the risk to human subjects and the presence of free and informed consent by the human subjects.

d. When questionnaires and surveys are undertaken by persons acting in an administrative capacity in the University, or under the auspices of the University administration, the approval of responsible administrative officers is to be secured. Within the colleges, administrative responsibility for approval lies with the dean of the college. Within the non-collegiate administration of the University, it lies with an Administrative Review Panel composed of the University-wide officers responsible for the offices of the Executive Vice President and Provost, Vice President for Research, Vice President for External Relations, Senior Vice President for Finance and Operations, Chief Human Resources Officer, University Hospitals and Clinics, and the deans. The panel or the deans will seek policy advice from the chair of the University committee on human subjects research.

   For implementation guidelines, see https://hr.uiowa.edu/policies/surveys-questionnaires.

e. The purpose of this panel or dean's review is to consider the institution's need for information in order to be accountable and the concerns for individual privacy. In addition, this procedure provides a more comprehensive view of the many information gathering activities of the University and provides a means for systematic administrative review of such activities.

f. This policy does not apply to surveys or questionnaires developed by an academic department for use within the department. (See II-27.6 Ethics in Research.)

27.6 Ethics in Research

(President 7/3/84; amended 10/95; 10/97; 3/10; 3/13; 8/14)

a. Policy. The University of Iowa is committed to maintaining a climate that promotes faithful attention to high ethical standards, that enhances the research process, and that does not inhibit the productivity and creativity of scholars. Instances of research misconduct are inconsistent with such a climate of integrity.

   Research misconduct is defined as fabrication, falsification, or plagiarism in proposing, performing, or reviewing research, or in reporting research results.

   When committed, research misconduct shatters individual careers, taints the conduct of objective research, undermines the credibility of scholarship, and destroys the confidence among scholars as well as between the University and the public.

   All researchers — faculty, staff, and students — must be unfailingly honest in their work, must refrain from deliberate distortion or misrepresentation, and must take regular precautions against the common causes of error. Steps to minimize the possibility of research misconduct include the following:

   (1) Researchers must accept responsibility for the quality and integrity of the work reported by them and their collaborators; emphasis must be placed upon the quality and significance of research rather than on quantity and visibility;

   (2) Consistent with II-27.10 University of Iowa Authorship Policy, only those who have had a genuine role in the research should be included in authorship of papers, and all named authors should accept responsibility for the quality and integrity of the work reported; and

   (3) Researchers should retain research data and records for a period of at least five years following publication to provide verification of the validity of the reported results.

   Deterrents to research misconduct include the possibility that it will be quickly detected and exposed. The likelihood that falsified, fabricated, or plagiarized research will go unquestioned is small. Yet despite the self-correcting nature of research, instances of research misconduct do occur, and in these cases it is the obligation of faculty,

staff, and students to report suspected instances of research misconduct to appropriate University officials.

b. Scope. This policy and the associated procedures apply to:

(1) The planning, conduct, reporting, and review of research, research training, and research-related activities (such as, for example, the operation of tissue and data banks and the dissemination of research information), whether funded or not, and regardless of the source of any funding; and

(2) Any person engaged in the above who is employed by or has an official affiliation with The University of Iowa, including any faculty member, staff member, student, postdoctoral scholar, trainee, fellow, visiting scholar, adjunct faculty member, and guest or research collaborator working on campus with University resources.

c. This policy does not apply to authorship or collaboration disputes.

d. Definitions.

(1) "Allegation" means a disclosure of possible research misconduct made to the University through any means of communication.

(2) "Complainant" means a person who in good faith makes an allegation of research misconduct.

(3) "Good faith" is defined as a belief in the truth of an allegation such as might be held by a reasonable person in the same circumstances and based on the information known at the time. An allegation is not made in good faith if it is made with knowing or reckless disregard for information that would negate it.

(4) "Inquiry" means a preliminary review of an allegation to determine whether there is a reasonable basis for concluding that the definition of research misconduct is met and whether the allegation has sufficient substance to warrant an investigation.

(5) "Investigation" means the formal development of a factual record and examination of that record leading either to a recommended finding, based on the preponderance of the evidence, that research misconduct occurred or, based on that same standard, a recommended finding to the contrary.

(6) "Preponderance of the evidence" means proof by information that, after comparison with that opposing it, leads to the conclusion that the fact at issue is more likely to be true than not. The University has the burden of proving by a preponderance of the evidence that research misconduct has occurred. The burden then shifts to the respondent to prove, by a preponderance of the evidence, any affirmative defense.

(7) "Reporting Contact" means the branch of the federal funding agency sponsoring the research that is designated by federal regulation to receive information relating to research misconduct. For example, reports involving research funded by the U.S. Public Health Service are required to be sent to the PHS Office of Research Integrity; those involving the National Science Foundation are required to be sent to the NSF Office of Inspector General. "Reporting Contact" may also mean any other external sponsor of University research where reporting on research misconduct is required by contract.

(8) "Research" means a systematic investigation, including research development, testing, and evaluation, designed to develop or contribute to general knowledge (basic research) or specific knowledge (applied research).

(9) "Research misconduct" means fabrication, falsification, or plagiarism in proposing, performing, or reviewing research, or in reporting research results.

(a) "Fabrication" is making up data or results and recording or reporting them.

(b) "Falsification" is manipulating research materials, equipment, or processes, or changing or omitting data or results such that the research is not accurately represented in the research record.

(c) "Plagiarism" is the appropriation of another person's ideas, processes, results, or words without giving appropriate credit.

(10) Research misconduct does not include honest error or differences of opinion.

A finding of research misconduct must meet this definition; must involve a significant departure from accepted practices of the relevant research community; must be committed intentionally, knowingly, or recklessly; and must be proven by a preponderance of the evidence.

(11) "Research record" means the record of data or results that embody the facts resulting from scientific inquiry, including, but not limited to, research proposals, laboratory records, both physical and electronic, progress reports, abstracts, theses, oral presentations, internal reports, journal articles, and any documents and materials provided to the University by a respondent in the course of a research misconduct proceeding.

(12) "Respondent" means the person against whom an allegation of research misconduct is directed.

e. Procedures.

(1) Research Integrity Officer. The Vice President for Research and Economic Development (VPRED) will appoint an institutional Research Integrity Officer (RIO), who is responsible for the implementation of this policy. The RIO must have the necessary expertise to evaluate the evidence and issues related to the allegation, to interview the parties and the witnesses, and to conduct the initial inquiry.

(2) Reporting allegations to the University. All members of the University community should report suspected research misconduct to the VPRED or the RIO as soon as possible after it is believed to have occurred. Reports to the VPRED are immediately reported to the RIO and vice versa. The RIO then notifies the Provost of the allegation, as well as the Associate Dean for Research from the respondent's college.

(3) RIO conflict of interest. At each stage of the process, the RIO will carry out his or her responsibilities without any unresolved personal, professional, or financial conflicts of interest with the complainant, the respondent, or any witness. Within 10 days of receipt of the notice of inquiry, the respondent may object in writing to the RIO's involvement based on a conflict of interest on the part of the RIO. Within 5 days of receipt of the objection, the VPRED will determine whether to replace the RIO with a qualified substitute, who will carry out the RIO's responsibilities set forth in this policy.

(4) Confidentiality and fair treatment. To the extent allowed by law, the confidentiality of the complainant, the respondent, witnesses, and research subjects identifiable from research records or evidence will be protected and disclosure of their identity limited to those who need to know as part of their involvement with the research misconduct proceeding. Inquiries and investigations will be conducted in this manner unless to do so would compromise public health and safety or the effective completion of the inquiry or investigation. Any process prescribed under this policy will be conducted in a manner that ensures fair treatment of the respondent.

(5) Assessment of allegation. Upon receipt of an allegation of research misconduct, the RIO will promptly assess the allegation to determine whether an inquiry is warranted. An inquiry is warranted only when an allegation is sufficiently credible and specific enough to identify conduct that presents an issue of potential research

misconduct and thus falls within the scope of this policy.

(6) Inquiry. When the allegation is assessed to warrant initiation of an inquiry, the RIO will perform the inquiry for the purpose described above in paragraph c(4). Upon opening an inquiry, the RIO will provide written notice of the alleged misconduct and initiation of the inquiry to the respondent (and, in the case of sponsored research, the Principal Investigator where he or she is not the respondent). At the same time, the RIO will sequester all relevant records and any other evidence needed to conduct the inquiry. The RIO may elect to interview the complainant, the respondent, and any additional witnesses with possible information related to the allegation at hand. Where the RIO lacks sufficient specialized expertise, the RIO may consult with qualified experts in order to determine whether an investigation of the alleged misconduct is warranted. Any additional respondents identified during the inquiry process must also be promptly notified of their status.

(7) Inquiry report and recommendation. The RIO will produce a written inquiry report including:

(a) the name and position of the respondent;

(b) a description of the allegations of research misconduct;

(c) the source of research support, including identifying any grant or contract and any publications listing such support;

(d) a summary of the inquiry process used;

(e) a list of the research records reviewed;

(f) the basis for recommending that the alleged actions either warrant or do not warrant an investigation; and

(g) the RIO's recommendation as to whether an investigation is warranted and whether any other actions should be taken in the event an investigation is not recommended.

(8) Opportunity for comment. The RIO will provide the respondent with a copy of the draft inquiry report for comment and rebuttal. Within 14 calendar days or receipt of the draft report, the respondent will provide comments on the draft inquiry report to the RIO. Comments submitted by the respondent will become part of the final inquiry report and record. Based on those comments, the RIO may revise the report as appropriate.

(9) Inquiry timeline. The RIO will complete the inquiry and submit the written inquiry report and recommendation to the VRPED for final institutional action within 60 calendar days of initiating the inquiry, unless the VPRED determines that circumstances clearly warrant a longer period and approves an extension for good cause. In such cases, the inquiry record must include documentation of the reasons for the extension, and the respondent must be notified of the extension.

(10) VPRED decision and action on the inquiry report. The VPRED will review the inquiry report and either approve or reject the recommendation of the RIO, stating in writing the reasons for that decision. In the course of this review, the VPRED may also request additional information to assist in acting on the recommendation of the RIO.

(11) Notice to Reporting Contact. Where the VPRED approves a recommendation for an investigation in a case involving federal funding, the RIO will notify the Reporting Contact for the relevant federal funding agency on or before the start of the investigation and will provide a copy of the inquiry report and the VPRED's written decision to the Reporting Contact.

(12) Investigation. The investigation of a research misconduct allegation must be initiated within 30 calendar days of the VPRED's decision that an investigation is warranted. The RIO shall notify the respondent in writing of the VPRED decision prior to the start of the investigation. Before or at thetime the notice is provided to the respondent, the RIO will also sequester any additional research records or evidence required to conduct the investigation not previously sequestered at the inquiry stage.

(13) Research Misconduct Committee Pool. The VPRED shall maintain a representative pool of scholars, selected from the tenured faculty, the emeritus faculty, or equivalent rank research scientists, research engineers, and research/clinical faculty. Pool membership shall be by nomination by each college's respective Associate Dean for Research; pool members shall serve three-year terms.

(14) Research Misconduct Committee. The VPRED shall appoint a Research Misconduct Committee (RMC) of seven scholars selected from the Research Misconduct Committee Pool, with no more than one member from any one college. Members of the RMC must have no actual or potential personal, professional, or financial conflict of interest with the complainant, the respondent, or any witnesses and should collectively possess an appropriate level of scientific expertise to competently evaluate the evidence of alleged research misconduct. The RIO attends meetings of the committee to assist the committee in its work.

(15) Notice to the respondent of committee composition. The RIO will notify the respondent of the RMC membership within 5 days. If the respondent submits a written objection to any member of the RMC, the RIO will determine whether a conflict or other circumstance exists such that a committee member's continued participation in the investigation would be improper or raise a perception of impropriety sufficient to require replacement of the challenged member with a qualified substitute from the RMC pool.

(16) Committee meetings. The RIO will convene the first meeting of the RMC to review the charge, the inquiry report, and the prescribed procedures and standards for the conduct of the investigation, including the necessity for confidentiality, for developing a specific investigation plan, and for ensuring a thorough and sufficiently documented investigation. The RMC will make and the University will maintain transcripts or recordings of any witness interviews.

(17) Use of consultants or content experts. Consultants or content experts may be used at the discretion of the RMC to provide information or specialized content knowledge, but should not be present during final committee deliberations and are not members of the committee.

(18) Investigation report. The RMC will prepare a written investigation report that:

(a) describes the specific allegation(s) of research misconduct;

(b) describes the source(s) of funding, if any;

(c) describes the policies and procedures under which the investigation was conducted;

(d) describes the research record and the evidence reviewed, as well as any evidence sequestered but not reviewed; and

(e) states the committee's recommended findings relative to each allegation and explains the basis for each finding. Where the committee recommends a finding of research misconduct, the report will include recommendations for appropriate institutional actions, including, for example, whether any publications

should be corrected or retracted, and will list any current support or known applications for support that the respondent has pending with any federal research sponsor.

(19) Opportunity for comment. The RMC will provide the respondent a copy of its draft investigation report for comment and rebuttal. The respondent will be allowed 14 days to review and comment on the draft report. The respondent's comments will be attached to the final investigation report. The report will take into consideration the respondent's comments in addition to all other evidence.

(20) Investigation timeline. An investigation by the RMC should be completed within 120 calendar days of initiation, with the initiation being defined as the first meeting of the RMC. This includes conducting the investigation, preparing the report of findings, making the draft report available for comment, submitting the report to the VPRED for final institutional action, and submitting the institution's final report to the Reporting Contact. If the RMC determines that it will not be able to complete the investigation in 120 days, the RIO will notify the VPRED and submit to the Reporting Contact a written request for an extension that explains the delay, reports on the progress to date, estimates the date of completion of the report, and describes other necessary steps to be taken. If the Reporting Contact grants the request the RIO will file periodic progress reports on behalf of the committee as requested by the Reporting Contact.

(21) Institutional decision and action on investigation report. The RMC submits the final written report of its recommended findings to the RIO, who meets with the VPRED to discuss the report. The VPRED makes the final institutional decision whether to accept, modify, or reject the committee report recommendations.

(a) If the VPRED accepts the RMC's recommendations without modification, the VPRED's determination, together with the RMC's investigation report, constitutes the final institutional report for purposes of federal funding agency review.

(b) If the VPRED's determination differs from the committee's recommendations, the VPRED will explain in the institution's letter transmitting the RMC report to the Reporting Contact the detailed basis for reaching a conclusion different from the RMC's recommendations. The VPRED's written explanation should be consistent with this policy and its definition of research misconduct and should be based on the evidence reviewed by the RMC to which the respondent has had an opportunity to respond.

(22) Notification. The respondent will be notified in writing at the conclusion of the investigation of its outcome and the respondent will be provided a copy of the institution's final investigation report.

If the findings of the investigation warrant personnel or other administrative actions, the VPRED will meet with the appropriate senior administrator who has oversight responsibility for the respondent's department/unit or the respondent's University classification (either the Executive Vice President and Provost or other vice president) and appropriate action will be initiated in accord with University policy as follows: In addition to the foregoing, the University may take other administrative actions appropriate to the outcome of the investigation. For example, in the case of a finding of research misconduct, the University may require the withdrawal of pending abstracts and publications emanating from the research, and give notice in sufficient detail to editors of journals in which previous abstracts and publications have appeared to inform the relevant academic and public communities and to correct the public record.

(a) Faculty. Research misconduct is in violation of III-15.3b Responsibilities to Scholarship concerning professional ethics and academic responsibilities, and all such matters are governed by III-29 Faculty Dispute Procedures and, more specifically, by the portion of the dispute procedures dealing with faculty ethics (III-29.7).

(b) Professional and scientific staff. Disciplinary actions resulting from investigations of misconduct are taken by the vice president responsible for the unit employing the respondent staff member.

Appeals from administrative actions involving professional and scientific personnel are governed by III-28 Conflict Management Resources for University Staff.

(c) Merit staff. Disciplinary action resulting from investigations of misconduct involving merit staff personnel are taken in accordance with the Regent Merit System Rules, with applicable appeal procedures including III-28 Conflict Management Resources for University Staff.

(d) Graduate assistants. Disciplinary procedures, including dismissal of graduate assistants, is covered by III-12.4 Graduate Assistant Dismissal Procedure.

(e) Others. Disciplinary action related to other categories of individuals within the University, not covered in paragraphs (c) through (f) above, including postdoctoral trainees, professional students, and undergraduates, will be undertaken by the Executive Vice President and Provost or the vice president responsible for such individuals, as applicable.

(23) Notice to Reporting Contact of completion of investigation. Once the institution has accepted the investigation report and determined any administrative action(s) to be taken in response to it, the RIO is responsible for complying with any notice requirements of federal agencies funding the research. The University will comply with any actions required by the funding agency, including the obligation to make restitution for the funding, if applicable.

The responsible vice president or Executive Vice President and Provost, as applicable, oversees any audits and corrective action that may be required as a result of the findings of the investigation.

(24) Finding of no research misconduct. If no investigation is warranted following an inquiry, or if the alleged misconduct is not substantiated by the finding of an investigation and the Reporting Contact concurs in that conclusion, the RIO will consult with the respondent and undertake all reasonable, practical, and appropriate efforts to restore the respondent's reputation. Depending on the particular circumstances, the RIO should consider notifying those individuals aware of or involved in the investigation of the final outcome, publicizing the final outcome in forums in which the allegation of research misconduct was previously publicized, or expunging all reference to the research misconduct allegation from the respondent's personnel file. Any institutional actions to restore the respondent's reputation must first be approved by the VPRED.

(25) Retaliation; reputation of complainant and others. Regardless of whether the institution or the Reporting Contact determines that research misconduct occurred, the RIO will undertake all reasonable and practical efforts during the inquiry and/or investigation stages to protect complainants who make allegations of research misconduct in good faith, witnesses, and committee members. Those who make allegations with knowing or reckless disregard for their truth will be subject to discipline under applicable University policies.

Upon completion of an investigation, the VPRED will consult with the complainant and determine what steps, if any, are needed to restore the position and reputation of the complainant. The same process will also be followed to protect or restore the position and reputation of any witness or committee member, if needed. The RIO is responsible for implementing any steps the VPRED approves.

(26) Circumstances requiring immediate reporting. The RIO will notify the Reporting Contact at any stage of the inquiry or investigation if:

(a) there is an immediate public health or safety hazard involved;

(b) there is an immediate need to protect sponsoring agency funds, interests, or equipment;

(c) research activities should be suspended;

(d) there is an immediate need to protect the interests of the person(s) making the allegations or of the individual(s) who is/are the subject of the allegations, as well as his or her co- investigators and associates, if any;

(e) it is probable that the alleged incident is going to be reported publicly, so that the agency may take appropriate steps to safeguard evidence and protect the rights of those involved;

(f) the research community or public should be informed (e.g., where the allegation involves a public health-sensitive issue such as a clinical trial); or

(g) there is a reasonable indication of possible violation of civil or criminal law. In this instance, the institution must inform the Reporting Contact within 24 hours of obtaining that information.

(27) Interim administrative actions and reports. Interim administrative actions will be taken, as appropriate, to protect federal agency funds and equipment and the public health, and to ensure that the purposes of the financial support from the federal agency are carried out.

If the University of Iowa plans to terminate an inquiry or investigation for any reason without completing all relevant requirements of the applicable federal agency regulations (other than closing an inquiry because no investigation is warranted or a finding of no misconduct from a completed investigation), the RIO will submit a report of the planned termination to the Reporting Contact, including a description of the reasons for the proposed termination.

The RIO will report to the Reporting Contact as required by regulation and keep the Reporting Contact apprised of any developments during the course of the inquiry or investigation that may affect current or potential funding for the individual(s) under investigation or that the federal agency needs to know to ensure appropriate use of funds and otherwise protect the public interest.

The University will provide full and continuing cooperation with any federal funding agency during its oversight review of any alleged research misconduct or any subsequent administrative hearings or appeals resulting from agency oversight review.

(28) Records. All records pertaining to an allegation of research misconduct shall be kept in accordance with the record-keeping requirements of the federal funding agency.

27.7 Corporate- and Industry-Sponsored Projects

(10/99; 1/08; 1/09; 3/10; 10/10; 5/12; 3/13; 4/13; 11/16)

a. Purpose. This statement establishes policies for the financial management of corporate- and industry-sponsored projects for which data or other outcome products are expected. Because the University is a non-profit, tax-exempt institution whose purposes include, but are not limited to, the advancement of education, the promotion of health, and the conduct of scientific research, the University must account for business income unrelated to its exempt purposes. A liability exists for federal and state income taxes on unrelated business income after the deduction of reasonable, allowable, and allocable expenses.

Corporate or industry contracts generally involve a quid pro quo, i.e., something is given and something is received. These agreements must be entered into in the name of The University of Iowa and not in the name of the department or principal investigator. Neither The University of Iowa Foundation nor other external entity is permitted to accept payment for activities related to corporate- and industry-sponsored research projects conducted within the University.

b. Is a corporate-sponsored project subject to unrelated business income tax (UBIT) or is it tax exempt? The conduct of scientific research is an exempt activity and should not generate UBIT. The Internal Revenue Service (IRS) has determined that some activities carried on incident to commercial or industrial operations are not research. The University, therefore, may be required to demonstrate that the project is substantially related to its mission by establishing that: In order to account for corporate- and industry-sponsored projects as an exempt activity, the University must document the relatedness of project activities to the tax-exempt purposes of the University in advance of the assignment of an account.

(1) The project is designed and supervised by professionals to solve a problem via the scientific method, i.e., hypothesis, design, test, data analysis; adds to knowledge within a scientific field; can only be performed with advanced scientific or technical expertise; involves the development of new ideas, skills, methods; or,

(2) The project is conducted in the public interest, e.g., seeks a cure or treatment for disease, provides treatment opportunity not otherwise available to patients, tests for public safety, etc. The results will be made available to the public; or,

(3) The project furthers an educational purpose. Students or trainees involved in the project will have specific tasks and duties. Investigators are free to publish findings in a timely manner.

c. Establishing the account. The following documents are required for the assignment of a Master File Key (MFK) to establish an account:

(1) University of Iowa Proposal Routing Form;

(2) Detailed Project Budget and Payment Schedule (ex: standard federal grant and contract format);

(3) Fully executed contract or award accepted by the University; and

(4) All applicable project certifications for use of human subjects, vertebrate animals, recombinant DNA and other biohazards, and for managing conflicts of interest and any other project-specific concerns or requirements.

d. Fees and other accounting issues.

(1) Corporate- and industry-sponsored clinical trials will be charged a minimum F&A rate of 26 percent on total direct costs. Investigators are encouraged to charge up to the federally approved rate. Corporate- and industry-sponsored projects, excluding clinical trials, will be assessed facilities and administrative (F&A) costs based on the federally approved on-campus F&A rate, currently 52.5 percent of modified total direct costs (MTDC). (The MTDC rate includes all salaries and wages, fringe benefits, materials, supplies, services, travel, and the initial $25,000 of each subgrant or subcontract, but excludes equipment, capital expenditures, charges for patient

care, tuition remission, rental costs of off-site facilities, scholarships, fellowships, and subgrant and subcontract amounts in excess of $25,000.)

(2) Investigators must exercise diligence to only charge expenses against the project that are reasonable, allowable, and allocable. All revenues and expenses will be accounted for in the University accounting system.

e. Project close-out. Investigators engaged in corporate- or industry-sponsored projects are responsible for notifying their departmental administrator upon the completion of the project. The administrator will then notify DSP. Each investigator will provide a copy of the final report (that was given to the sponsor) to the Division of Sponsored Programs. The Grant Accounting Office will initiate closure of the project account upon notification of project completion from the DSP, or, according to the project end date. The principal investigator and his or her department will be allowed a 90-day period following the completion of the project to make appropriate adjustments and corrections and to determine if a residual balance exists. The Grant Accounting Office will review the account for appropriateness of costs prior to closing the account.

When applicable, UBIT will be assessed on the residual balance. The tax rate is based on the prevailing federal, state, and local corporate income tax rate for taxable income (currently 34 percent federal, 8 percent state, and 0 percent local). Grant Accounting will retain in a project account all federal and state income taxes assessed on the project's net balance.

After full F&A costs[1] and UBIT are assessed, the remaining balance will be transferred to an Organized Activity (fund 240) account. The account will be administered by the department with expenditures directed by the principal investigator who originally obtained the funds. The expenditure of funds will be to support research of the principal investigator who originally obtained the funds as long as the investigator is a regular faculty or staff member of the University. If the investigator leaves the University, the expenditure of the funds will be determined by the departmental executive officer to support departmental programs.

If, after audit, the project is not exempt from UBIT or it is determined that certain expenditures charged to the project were done so in error, the department will be responsible for any errors as well as additional tax, interest, and associated penalties due to the taxing authority (e.g., IRS, State Department of Revenue and Finance).

In cases where the principal investigator transfers to another institution or organization prior to completing the study, contract document permitting, The University of Iowa will appoint another investigator to fulfill the responsibilities of the project(s), or, if the University deems it appropriate, it may retain the former employee as principal investigator. When so directed by sponsor, or at the discretion of the University, the University may transfer the final account balance to the new institution or organization subject to the restrictions placed on the funds by the grantor. No money will be paid to an individual investigator.

In cases where the principal investigator leaves The University of Iowa after the project has been closed out, funds remaining will be transferred to the DEO of the investigator's department for discretionary use in research at The University of Iowa.

f. This policy is effective on all projects with an effective or start date on or after July 1, 1999.

Footnote

1. If an award ends in a surplus and reduced F&A rate was negotiated with the University's Division of Sponsored Programs, then up to the full F&A rate will be assessed on incurred expenses. Full F&A rate is defined as 26 percent of total direct costs (TDC) on clinical trials or the negotiated federal F&A rate charged on all other awards.

27.8 Anti-Retaliation Policy for Reporting of Misconduct in Research

(2/97; 3/10)

a. Purpose. These guidelines provide information to whistleblowers on an appropriate method of submitting retaliation complaints and subsequent procedures for resolving the complaints.

These guidelines apply to all instances of possible retaliation against whistleblowers who make allegations of research misconduct covered by the University of Iowa Policy on Ethics in Research (II-27.6).

b. Definitions.

(1) "Adverse action" means any action taken by a member of The University of Iowa which negatively affects the terms or conditions of the whistleblower's status at the University, including but not limited to his or her employment, academic matriculation, awarding of degree, or University relationship established by grant, contract, or cooperative agreement.

(2) "Allegation" means any disclosure, whether by written or oral statement, or any other communication, to a University, a governmental or other sponsoring agency official who receives the allegation while acting in their official capacity, that the University or member thereof has engaged in research misconduct.

(3) "Deciding official" means the official designated by the President of the University to make a final University determination as to whether retaliation occurred.

(4) "Good faith allegation" means an allegation of research misconduct made with a belief in the truth of the allegation which a reasonable person in the whistleblower's position could hold based upon the facts. An allegation is not in good faith if made with reckless disregard for or willful ignorance of facts that would disprove the allegation.

(5) "Research misconduct" means fabrication, falsification, plagiarism, or other practices that seriously deviate from those that are commonly accepted within the research community for proposing, conducting, or reporting research. It does not include honest error or honest differences in interpretations or judgments of data or creative innovations that are nonetheless ethical, legal and meet professional standards.

(6) "Responsible official" means the official designated by and reporting to the President of the University to establish and implement the University's anti-retaliation policy for reporting of misconduct in research.

(7) "Retaliation" means any adverse action or credible threat of an adverse action taken by the University, or member thereof, in response to a whistleblower's good faith allegation of research misconduct. It does not include the University's decision to investigate a good faith allegation of research misconduct.

(8) "University" means The University of Iowa.

(9) "University member, or member" means a person who is employed by, affiliated with under a contract or agreement, or under the control of the University. University members include but are not limited to faculty, students, administrators, teaching and support staff, researchers, clinicians, technicians, and fellows.

(10) "Whistleblower" means an individual who makes a good faith allegation of research misconduct or demonstrates an intent to make a good faith allegation (or what is perceived to be an allegation) while a member of the University at which the alleged research misconduct occurred.

c. Processing whistleblower retaliation complaints.

(1) Responsible official.

(a) The University has designated the University of Iowa Research Integrity Officer (RIO) the "Responsible Official" to establish and implement the University's Policy for Reporting Misconduct in Research. The Responsible Official also serves as a liaison between the University and the sponsoring agency, and will prepare and submit all reports to the research sponsor.

(b) The Responsible Official shall be free of any real or apparent conflicts of interest in any particular case.

(c) If involvement of the Responsible Official in a particular case creates a real or apparent conflict of interest with the University's obligation to protect good faith whistleblowers, and the conflict cannot be satisfactorily resolved for that case, the Vice President for Research shall appoint a substitute Responsible Official who has no conflict of interest.

(2) Notice of University policy. The University shall provide to all its members notice of its Anti-Retaliation Policy for Reporting of Misconduct in Research. The notice shall include the requirement set forth regarding a whistleblower's deadline for filing a retaliation complaint.

(3) Filing complaints.

(a) A whistleblower who wishes to receive the procedural protections described by these guidelines shall file his or her retaliation complaint with the Responsible Official within 180 days from the date the whistleblower became aware or should have become aware of the alleged adverse action. The University shall review and resolve all whistleblower retaliation complaints and should do so within 180 days after receipt of the complaint. If the whistleblower fails to receive a University response to the complaint in accordance with these Guidelines within ten working days, the whistleblower may file the retaliation complaint directly with the sponsoring agency.

(b) The retaliation complaint must include a description of the whistleblower's research misconduct allegation and the asserted adverse action, or threat thereof, against the whistleblower, by the University or its members in response to the allegation. If the retaliation complaint is incomplete, the Responsible Official shall describe to the whistleblower what additional information is needed in order to meet the minimum requirements of a complaint under this II-27.8c(3).

(4) Responding to complaints.

(a) Upon receipt of a whistleblower retaliation complaint, the Responsible Official shall notify the whistleblower of receipt within ten working days after receipt. The notice shall also inform the whistleblower of the process the University proposes to follow in resolving the retaliation complaint and the necessary actions by the whistleblower required under that process.

(b) The whistleblower may raise any concerns about the proposed process with the Responsible Official and the University may modify the process in response to the whistleblower's concerns.

(c) The whistleblower has five working days from the date of receipt of the initial notification in II-27.8c(4)(a) to:

(i) accept the proposed process, although the whistleblower may also submit documentation for the official record about any concerns he or she may have about the proposed process; or

(ii) not accept the proposed process. If the whistleblower rejects the proposed process, he or she may pursue other remedies as provided by law.

(d) The University shall notify the sponsoring agency of any whistleblower retaliation complaint it receives within ten working days after receipt of the complaint.

(5) Interim Protection.

(a) At any time before the merits of a whistleblower retaliation complaint have been fully resolved, the whistleblower may submit a written request to the Responsible Official to take interim actions to protect the whistleblower against an existing adverse action or credible threat of an adverse action by the University or member.

(b) Based on the available evidence, the Responsible Official shall make a determination of whether to provide interim protections and shall advise the whistleblower of his or her decision in writing. Documentation underlying the decision whether to provide interim protections shall become part of the record of the complaint. When the whistleblower retaliation complaint is fully resolved, any temporary measure taken to protect the whistleblower shall be discontinued or replaced with permanent remedies.

d. Resolution of complaints.

(1) General.

(a) For each whistleblower retaliation complaint received, the University shall adhere to the process for resolving the whistleblower retaliation complaint, or settle the complaint, as described below.

(b) The process should be completed within 180 days of the date the complaint is filed, unless the whistleblower agrees to an extension of time. The University shall promptly report the final outcome of either process or any settlement to the sponsoring agency.

(c) If the whistleblower declines the University's proposed process according to these guidelines, he or she may pursue any other legal rights available to the whistleblower for resolution of the retaliation complaint. However, sponsors, including the federal government, may deem the University to have met its obligation under federal regulations and may not pursue the whistleblower complaint further.

(2) University investigation.

(a) The University shall conduct an investigation of the whistleblower retaliation complaint according to these Guidelines and implement appropriate administrative remedies consistent with the investigation's finding and University decision thereon.

(b) An investigation of whistleblower retaliation shall be timely, objective, thorough, and competent. The investigation should be conducted by a panel of at

least three individuals appointed by the Responsible Official. The members of the investigation panel, who may be from outside the University, shall have no personal or professional relationship or other conflict of interest with the whistleblower or the alleged individual retaliator(s), and shall be qualified to conduct a thorough and competent investigation.

(c) The investigation shall include the collection and examination of all relevant evidence, including interviews with the whistleblower, the alleged retaliator(s), and any other individual who can provide relevant and material information regarding the claimed retaliation.

(d) The University shall fully cooperate with the investigation and use all available administrative means to secure testimony, documents, and other materials relevant to the investigation.

(e) The confidentiality of all participants in the investigation shall be maintained to the maximum extent possible throughout the investigation.

(f) To encourage and protect whistleblowers, it is University policy that no reference to good-faith reporting of University-related misconduct shall be made in personnel files, letters of recommendation, performance appraisals, or any other permanent evaluative documents without the concurrence of the whistleblower.

(g) The panel members shall evaluate and respond objectively to any concerns raised by the whistleblower about the process, including concerns regarding the selection of the Deciding Official, Responsible Official, and specific panel members, which are raised prior to resolution of the complaint.

(h) The conclusions of the investigation shall be documented in a written report and made available to the whistleblower. The report shall include findings of fact, a list of witnesses interviewed, an analysis of the evidence, and a detailed description of the investigative process.

(i) The Vice President for Research shall be the Deciding Official. The Deciding Official shall make a final University determination as to whether retaliation occurred. This decision shall be based on the report, the record of the investigation, and a preponderance of evidence standard. Appeals may be made to the University President and subsequently to the Board of Regents via the usual appeals process.

(j) If there is a determination that retaliation has occurred, the Deciding Official shall determine what remedies are appropriate to satisfy the University's obligation to protect whistleblowers. The Deciding Official shall, in consultation with the whistleblower, take measures to protect or restore the whistleblower's position and reputation, including making any public or private statements, as appropriate. In addition, the Deciding Official may provide protection against further retaliation by monitoring or disciplining the retaliator.

(k) The University shall promptly notify the sponsoring agency of its conclusions and remedies, if any, and forward the underlying investigation report to the sponsor.

(l) The University recognizes that the sponsoring agency may, at its own discretion, review the University report to determine whether the University has substantially followed the process described herein.

(m) University compliance with this process does not bar the whistleblower from seeking redress against the University's decision under state law, University procedure, rules of the Board of Regents, policy, or agreement, or as otherwise provided.

(3) Settlement. In lieu of the option described above, the University and whistleblower may, at any time after the retaliation complaint is made, enter into any binding settlement agreement which finally resolves the retaliation complaint. If both parties agree, the Responsible Official shall facilitate negotiation of such settlements. If such an agreement is reached, the University and the whistleblower shall sign a statement indicating that the retaliation complaint has been resolved. The University shall within 30 days send a copy of the signed statement to the sponsoring agency. The settlement may not restrict the whistleblower from cooperating with any investigation of an allegation of research misconduct.

e. University compliance. At any time a sponsoring agency may review the University's compliance with these guidelines to the extent that the University relies on these guidelines for regulatory compliance. The University and its members shall cooperate with any such review and provide the sponsoring agency access to all relevant records. If the University's procedures and implementation thereof substantially conforms to II-27.8c and II-27.8d above, it shall be deemed to have met its whistleblower protection obligation under federal regulations.

27.9 General Policy and Procedures for Review of Research and Instruction Projects Involving Use of Animal Subjects

(1/02; 1/08)

a. It is the policy of the University that all activities involving the use of live vertebrate animals be conducted in accordance with federal law and regulatory guidelines regarding the humane care and use of animals. The University has provided the federal government with a formal commitment to humane and appropriate review and conduct of animal research in a document entitled "University of Iowa Assurance of Compliance with Public Health Service Policy on Humane Care and Use of Laboratory Animals."

b. All research and instruction performed by University of Iowa faculty, staff, and students involving the use of live vertebrate animals must be submitted for prior review and approval to the Institutional Animal Care and Use Committee (IACUC) to ensure that the above conditions are met. This requirement applies irrespective of the funding source or location on or off campus of the research or instruction. In the absence of an IACUC-approved, valid Animal Care and Use Review Form, an investigator may not perform procedures with live vertebrate animals or acquire animal data under the project in question.

c. The Office of Animal Resources is responsible for the procurement and husbandry of all live vertebrate animals at The University of Iowa.

d. It is the responsibility of the principal investigator to assure that all individuals involved in the use of animals in research and instruction be appropriately trained in the procedures to be used in their approved activities. All individuals named in research protocols involving the use of live vertebrate animals must also have completed the University of Iowa training requirement prior to performing animal procedures.e. Details of the University policy and procedures are available via the World Wide Web at https://animal.research.uiowa.edu.

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27.10 University of Iowa Authorship Policy

(Faculty Senate 2/12)

a. Purpose and expectations.

(1) Authorship explicitly assigns both credit and responsibility for intellectual work and has tangible implications for faculty, staff, and student participants on project teams. It is the policy of The University of Iowa that authorship assignments thus should honestly reflect actual contributions as a function of the ethical conduct of

scholarship. Faculty should be especially aware of their responsibility to safeguard the rights of staff and students at all levels to publish.

(2) Adherence to this policy is specifically intended to eliminate authorship assignment rooted in power inequities, inappropriate practices, and perceptions of conflict of interest in the presentation of scholarly findings.

(3) Participants are expected to engage early in the publication development process in open and clear communication about the assignment of authorship roles with their potential publishing colleagues. Written agreements specifying the details of authorship and contributions may be warranted in many cases but are good practice in all cases.

b. Applicability.

(1) This policy applies to all individuals at The University of Iowa engaged in the publication of research, defined broadly as all forms of scholarly investigation or creative work, regardless of funding source.

(2) Colleges and departments are encouraged to develop additional "best practices" guidelines regarding authorship for their faculty, staff, and students that address discipline-specific issues.

(3) The term "publication" as used in this policy is meant generically, representing as inclusively as possible any manner of report, paper, manuscript, article, book, chapter, treatise, or other publishable product whether printed or digital in format.

c. Attribution of authorship.

(1) Authorship is limited to those who meet both of the following criteria and expectations; all those who meet these standards should be included as an author:

(a) Significant intellectual contribution to a project through conception and design, or data collection and analysis, or interpretation; and

(b) Ability to identify their own contribution, and ideally the contributions of each participating author, and defend the major aspects of the project presented in the publication, although not necessarily all the technical details.

In addition, it is expected that each author has been given the opportunity to participate in the drafting of the manuscript (or substantive revision of its scholarly content) and approves the final version of the manuscript to be published.

(2) Provision of logistical, financial, or administrative support alone does not constitute a valid basis for authorship. Recognition of these types of contribution is appropriate for an acknowledgements section of a publication.

d. Standards. This policy acknowledges that the significance of a particular method of ordering authorship may be understood in a given setting but that order of authorship has no generally agreed-upon meaning across all academic disciplines. Additionally, standards for "substantive" and "scholarly content" differ among the various disciplines and publishing venues. This policy requires that criteria for attributing and ordering authorship by practitioners of specific disciplines at The University of Iowa will be widely recognized and consistent across that discipline as a whole, and generally consistent with the standards of the publication in which the work appears, including the following.

(1) Authorship roles. As a practical issue for multi-author publications in disciplines where "lead" (also known in some fields as "corresponding") authors are the norm, collaborators on a publication are to agree as early in the planning process as practical on one author as lead. The remaining authors are then designated as participating authors. Lead designation is intended as an administrative role and doesn't necessarily imply greater individual contribution to the publication. In disciplines where authorship practices are typically more consensus based, collaborators are encouraged to proactively discuss responsibility for administrative matters relating to publication submittal.

(a) Lead author. Depending on the discipline and the nature of the collaborative work, the lead author need not be the first, last, or most senior author, nor necessarily the principal investigator or project leader. At the outset of the study all authors should discuss the outline of work and a tentative order of authorship should be established with the logic governing this order made explicit. As projects proceed, agreements regarding authorship may need to be changed. The lead author is responsible for the integrity of the work as a whole, and ensuring that reasonable care and effort has been taken to determine that all the data are complete, accurate, reasonably interpreted, and accessible to others within the norms of the discipline and requirements of the publishing venue. It is the responsibility of the lead author to assure that the contributions of all participating authors are properly recognized. In cases where a lead author has been formally assigned, this individual assumes overall responsibility for the publication and typically serves as the managerial and corresponding author. In consensus situations, all authors jointly share responsibility. The lead author (or consensus authors) is (are) responsible for confirming that all participating authors meet this policy's authorship criteria, for providing the manuscript's final draft to each participating author for review and approval, and for following any journal-specific requirements governing author review and consent (such as signature forms).

(b) Participating author. Each author of a publication, regardless of relative seniority or level of contribution, is responsible for providing confirmation of authorship in accordance with this policy's criteria and the requirements of the selected publication venue. Confirmation of authorship includes verifying review and approval of the final manuscript to be published. Each author is responsible for the content of those portions of the manuscript ascribed to them, including the integrity of any applicable research. An individual offered authorship of a publication for which they do not satisfy the criteria for authorship as set forth in this policy should decline authorship in accordance with this policy and University policies regarding responsibilities to scholarship (see III-15.3). All reasonable attempts will be made to seek confirmation in accordance with this policy from individuals who meet authorship criteria but have left the institution (e.g., students who have graduated) or are no longer in contact with the lead or other participating authors.

(2) Appropriate use of acknowledgements and disclosures. The nature and character of acknowledgements appearing in manuscripts varies considerably depending on a given discipline. The following principles are meant to provide guidance but not contradict the requirements prescribed by specific journals or publications.

(a) "Acknowledgements" should communicate to granting agencies, promotion committees, scholarly readers, and others the specific contributions that are insufficient under this policy to justify authorship. Such contributions include general supervision of a research group, assistance in obtaining funding, technical support, and assistance in writing and editing the manuscript. Individuals who may have participated in the development of a publication but who do not meet the criteria for authorship, such as editorial assistants, illustrators, medical writers, or other individuals, provide a valuable contribution to the writing and editing of publications. Since those contributions do not meet the criteria for authorship under this policy, these individuals should be listed in an acknowledgements section of the published work.

(b) All authors, in their manuscripts submitted for review and publication, must disclose the source(s) of support (financial and/or tangible resources) for the work unless otherwise instructed by the journal or publication. Examples of support include but are not limited to 1) research and educational grants, 2) contracts, 3) corporate sponsorships, 4) gifts, and 5) institutional sources (departmental, collegiate, central administration, or hospital). Authors shall fully disclose all relevant financial interests that could be viewed as a potential conflict of interest in accordance with University policies (see II-18).

(c) Since it is possible that readers may infer endorsement of the data and conclusions from an acknowledgement, those acknowledged should give written permission and a disclaimer shall be included specifically indicating that inclusion in the acknowledgements does not imply endorsement by those named.

e. Violations. The following are examples of acts that may violate this policy:

(1) Intentional exclusion of a person as author who meets the criteria defined above in paragraph c of this policy.

(2) Acceptance or ascription of an honorary authorship. Honorary (guest, courtesy, or prestige) authorship is granting authorship out of appreciation or respect for an individual, or in the belief that the expert standing of the honored person will increase the likelihood of publication, credibility, or status of the work.

(3) Acceptance or ascription of a gift authorship. Gift authorship is credit, offered from a sense of obligation, tribute, or dependence, within the context of an anticipated benefit, to an individual who has not appropriately contributed to the work.

(4) Acceptance or ascription of a ghost authorship. Ghost authorship is the failure to identify as an author someone who made substantial contributions to the research or writing of a manuscript thus meriting authorship or allowing significant editorial control of a publication by an unnamed party, which may constitute a real or perceived conflict of interest that should be disclosed.

f. Dispute resolution and disciplinary action. A person who believes their authorship rights have been intentionally violated or who wishes to report other improper authorship practices as identified above in paragraph e of this policy may pursue informal mediation of the issue through departmental or collegiate channels or a person may bring a formal complaint under this policy to the Research Integrity Officer (RIO) or other designated individual appointed by the Vice President for Research for resolution. In the event that improper authorship practices are identified and depending on the University status, including but not limited to faculty, staff, or student, of the respondent whose action is the subject of the complaint, the RIO or other designated individual may consult with appropriate collegiate or departmental offices in determining appropriate sanctions and whether and when to pursue formal disciplinary action. During dispute resolution the involved authors are expected to refrain from actions that may damage the authorship interests and rights of the other participating authors.

(See also II-18.6 Conflict of Interest in Research.)

II. Community Policies

Chapter 28 – Academic Review

(President, upon recommendation of the Faculty Senate, 1981; amended 1986, 1988, 1989, 1990, 2/16/93, Board of Regents 2/7/95; 2/07; 10/09)

28.1 General Purpose

(Amended 2/07)

The fundamental role of the academic review process is to aid the University community in its continual striving for excellence and efficiency in its teaching and research through systematic review of its performance and direction on every level-from that of departments and programs, through colleges, and ultimately to the University as a whole. The specific purposes of the review process include the following:

a. to identify and reassess missions and goals;

b. to examine functions in terms of quality and continuing need;

c. to establish priorities for programmatic development;

d. to evaluate the effectiveness with which program activities promote the welfare of faculty, staff, and students;

e. to review the financial structure with regard to sources of funds and amounts required to support essential goals and objectives;

f. to establish a base for future development; and

g. to evaluate progress in the area of diversity, both as to underrepresented minorities and women.

The benefits to be derived from academic reviews are varied and relate to all levels of the University. The process of preparing a self-assessment in itself can lead to new insights concerning functions, problems, needs, and future directions on the part of the academic unit or program. Service on review committees broadens the perspectives of faculty concerning the missions and interrelationships of departments, programs and colleges within the University. The results of reviews can provide one basis for determining departmental, collegiate and University priorities for program development and resource allocation. Finally, the review system represents the fundamental component of the University's long-range planning process through which the Board of Regents will assess the future needs and development of the institution. In sum, the academic review process plays a critical role in maintaining institutional vitality, planning, and improving the quality of our programs, facilities, staff, students, faculty, and administration. Therefore, the Executive Vice President and Provost will report annually to the Faculty Senate on the results of academic reviews, stressing the implications of reviews for planning at the University level.

The following policies and guidelines are meant to emphasize the need for clearly defining the various components of the review process and the procedures to be followed so as to make this process more widely understood and effective. In addition, these policies focus on the importance of a full consideration of the recommendations resulting from the review. These policies may be supplemented by policies and guidelines for academic program reviews, collegiate reviews, and decanal reviews that are developed by the Executive Vice President and Provost, in consultation with the Faculty Senate. Colleges are responsible for regular reviews of their departments and academic programs. Collegiate reviews of departments and programs should follow the policies and guidelines in this chapter, as supplemented by the policies and guidelines promulgated by the Executive Vice President and Provost.

Except for reviews of administrators for whom the President is responsible, the Executive Vice President and Provost shall have overall responsibility for monitoring the implementation of this section.

28.2 Collegiate Review

(Amended 2/07)

a. Purpose. Systematic collegiate review should assist the faculty, dean, and University administration in 1) evaluating how effectively the college is achieving its educational goals; 2) identifying the college's strengths and weaknesses; and 3) developing strategic plans and priorities for future directions of the college. Pertinent information collected for the purpose of answering specific questions about the college's various components and activities will provide a firm foundation for evaluating the college.

   Review, particularly of a small college, need not be long and complex. It should concentrate on essentials. A collegiate review has two parts — 1) a self-study of the college and its programs by the collegiate faculty and administration; and 2) a peer review by University faculty members from outside the college and at least two reviewers from off campus.

b. Timing. Reviews of colleges shall take place at least once every seven years and ordinarily not more frequently than once every five years. Where possible, reviews should be coordinated with external accreditation evaluations. Reviews may also be scheduled to coordinate with other specific circumstances, e.g., a pending change in collegiate leadership or an impending significant change in resource needs.

   In order to assure that the review can benefit evaluation and planning in a timely fashion, the process of review should begin in the last half of the preceding year. Generally, it is anticipated that the collegiate self-study will be completed by the end of the first semester of the review year, that the peer review will be conducted during the second semester and that the final report will be submitted prior to the end of the academic year.

c. Responsibility. Collegiate reviews are initiated by the Office of the Executive Vice President and Provost, and that office organizes and directs the process and formulates the final conclusions. The Office of the Vice President for Research and the Dean of the Graduate College also will be involved in those matters germane to their areas of responsibility, e.g., scholarly and creative activities, graduate studies, developing programs.

d. Scope.

   (1) In General. The collegiate review should represent a comprehensive evaluation of all aspects of the college's function, with recognition of the mutual dependency of programs and activities. An able student body, a faculty engaged in effective teaching and scholarship, effective performance of staff members, effective collegiate administration, and adequate facilities all contribute to the success of a college and must be reviewed as a whole.

   Although all collegiate reviews are to be comprehensive, the focus will vary from college to college. It is not intended that collegiate reviews duplicate the specific evaluations of programs provided through departmental or program reviews (see II-28.3(1) below). In departmentalized colleges, the results of departmental or program reviews during the preceding seven-year cycle will serve as one source for review of the college. In such cases, the collegiate review will focus primarily on

evaluations of college-wide programs, policies, organization, funding, etc. In non-departmentalized colleges, in which departmental/program reviews have not been conducted (with the possible exception of some graduate programs), the collegiate review will involve a more in-depth evaluation of each specific program in the college.

(2) Areas to Be Considered:

(a) Collegiate Mission and Goals: The overall mission and goals of the college and their contribution to the University mission.

(b) Strategic Plan. The suitability of the collegiate strategic plan and progress toward achieving plan goals should be examined.

(c) Students. Projected student enrollment over a seven-year period, admissions policies and procedures, quality, advising, governance, placement services, student perceptions of the college, its program, faculty, and administration.

(d) Educational Programs. Instructional programs of the college should be assessed in regard to:

(i) the learning objectives of the program;

(ii) curriculum content in relation to the learning objectives of the program;

(iii) student achievement of learning objectives of the program;

(iv) program changes since last review and success of changes in relation to program learning objectives;

(v) recommendations for program changes based on recent assessments and other pertinent data;

(vi) the relation of the program to the goals of the college;

(vii) the continuing need for the program;

(viii) the overall quality of the program; and

(ix) the interaction of faculty and students with other parts of the University (e.g., development of and participation in interdisciplinary programs).

(e) Scholarly and Creative Activities. The scope and excellence of scholarly and creative activities and their contribution to instruction. "Scholarly and creative activities" are meant to include "research" whether or not it is in the laboratory.

(f) Service Programs. The nature of programs or individual efforts that provide services to the college, to the University, to the state, to the nation, and to others; the contribution of service activities to instructional, scholarly, and creative activities.

(g) Faculty. A profile of the faculty including educational background, teaching effectiveness, scholarly and creative contributions, and service. The assessment of faculty obviously is related closely to evaluation of educational and service programs and scholarly and creative activities.

(h) Facilities and Support Services. The adequacy of space and support facilities such as library, computers, staff assistance, instructional aids, equipment, and supplies. Assessment in this area also is related closely to evaluation of instructional and service programs and scholarly and creative activities.

(i) Functioning of the College.

(i) organizational structure of the college, including committees, communication among faculty, students, and dean; adequacy of the structure for discharging regular collegiate responsibilities.

(ii) role of faculty, students, and administration in collegiate affairs and the nature of their interaction.

(iii) relationship of the college to the University, the alumni, and the field.

(iv) effectiveness of collegiate strategic planning and plan implementation processes.

(j) Financial Resources. The financial structure of the college should be reviewed on a program-by-program basis with regard to source and amount of support and in terms of educational, scholarly, and creative activity and service objectives.

(3) Criteria for Program Evaluation. Specific criteria for program evaluation are determined by the Executive Vice President and Provost. The program review should result in assessments based on the primary criteria of quality and centrality, and the secondary criteria of student demand, potential for excellence, external impact, and cost.

e. Self Study Committee. The Executive Vice President and Provost shall initiate the collegiate self-study by requesting the college to organize a representative self-study committee. The self study committee shall be organized in accordance with procedures adopted by the collegiate faculty at least one (1) year prior to the year in which the self study is to occur. Procedures adopted by the collegiate faculty shall be approved by the Executive Vice President and Provost. These procedures shall set forth the size and qualifications for membership on the self study committee and shall include the method by which members of the self study committee shall be selected. They shall also provide for what role, if any, the dean of the college and the Executive Vice President and Provost shall play in the selection of the self study committee. In the absence of any such procedures, the Executive Vice President and Provost shall appoint faculty of the college to serve on the self study committee.

The self-study committee is charged with developing the collegiate self-study with the cooperation of the dean, collegiate faculty, staff, and other members of the University community, as the committee determines. The self study committee has the responsibility for organizing and conducting the self-study in relation to the review topics listed in this policy. The self study committee will conduct the review so as to ensure broad consultation with the faculty, students, staff, and administration of the college and, if deemed appropriate by the self-study committee, with external constituents of the college.

Copies of the self-study report shall be forwarded to the dean and faculty of the college for their review and comment. Thereafter, and following such other endorsements as may be required by collegiate rule, final copies, revised if appropriate, shall be forwarded to the dean of the college and to the Executive Vice President and Provost of the University. The final self-study shall be made available to the public.

f. Self-Study.

(1) General. The collegiate self-study is at the heart of a successful review. It assures that the college is reviewing its condition. The college should reexamine its goals

and reflect, with as much sound data as possible, on how various activities contribute to the achievement of those goals and identify priorities and directions for the future. Thus, a self-study should not be solely a description of current programs and activities; it also must involve evaluation and projection. It should anticipate programmatic changes that may be required by new developments in knowledge or in societal conditions, including enrollment projections based on demographic and other relevant data. It should serve as a stimulus to systematic consideration of current and future directions of the college by the major collegiate constituencies. The self-study will achieve these goals by addressing the major areas described in II 28.2 d(2) above.

(2) Data. Much of the data needed for the self-study can be obtained from the Office of the Executive Vice President and Provost, the collegiate administration, and, often, from recent accreditation materials. The self-study committee should consult with the collegiate administration and the Office of the Executive Vice President and Provost to determine what types of data are needed for the review. The collegiate administration and the Executive Vice President and Provost shall provide the committee with those data.

(3) Self-Study Reports. The committee will prepare a report that includes information and data on which the self-study was based and the conclusions reached about the strengths, weaknesses, and future directions of the college. Particular attention should be given to ways in which improvements in programs and functions can be achieved within currently available, or if indicated, reduced collegiate resources. Sources of flexibility for resource reallocations should be identified in the self study.

g. Post Self-Study Procedures.

(1) Peer group review of the college will be accomplished by a "review committee" composed of University faculty and staff from outside the college and at least two consultants from off campus appointed by the Executive Vice President and Provost.

The chair of the review committee will meet with the Executive Vice President and Provost to plan the specific steps to be taken and to establish a tentative timetable for the review.

The committee shall consider the self-study and related documents and interview faculty, staff, students, and administration of the college under review. It will ascertain the relationships of the college to other academic units in the University, evaluate its programs and come to some conclusions about appropriateness of goals and the degree to which these have been attained. It will help to identify strengths and weaknesses of the college and will make recommendations concerning possible improvements and future directions in the college.

The committee will prepare a report on its findings and conclusions and will submit a preliminary draft of the report to the Executive Vice President and Provost so that errors of fact and problems in wording may be identified and corrected. The review report shall not contain confidential personnel information concerning the collegiate dean or other collegiate personnel. The Executive Vice President and Provost will submit the draft report of the committee to the collegiate dean and college study committee so that any additional errors of fact and problems in wording may be identified and corrected. The college will submit the corrected draft review report to the Executive Vice President and Provost, who will finalize the report in consultation with the review committee as needed.

(2) Consideration and Implementation of the Review Report. The Executive Vice President and Provost will submit the final draft review report to the college for a response to the report and its recommendations. Copies of the review report will be made available to students and faculty in the college and, upon request, to others. In general, the following steps will occur:

(a) The dean and the self-study committee shall respond in writing to the review findings and recommendations. The dean and self-study committee will consult with college faculty to inform this response. This process should be specified in collegiate policy. Such responses, if any, will become part of the total review report.

(b) The Executive Vice President and Provost will meet with the review committee to discuss the report and the collegiate response in order to clarify the committee's findings and recommendations as needed.

(c) The Executive Vice President and Provost will submit a final closing letter summarizing the review and the steps to be taken by the college and the Provost to address the recommendations in the review. These steps and recommendations will be submitted to the President.

(d) When the college's strategic plan is next updated, the internal recommendations resulting from the review should be incorporated into the college's strategic plan.

h. Procedural Variation. The Executive Vice President and Provost will consider and may approve departures from these procedures in the case of particular reviews, where the Executive Vice President and Provost and the faculty agree that variations from these procedures are appropriate and would be consistent with the purposes of collegiate review.

28.3 Review of Departments, Programs, and Personnel

28.3(1) Departmental and Program Review

(Amended 2/07)

a. Purpose. Systematic departmental review should assist the faculty, dean, and University administration in 1) evaluating how effectively the department is achieving its educational goals; 2) identifying the department's strengths and weaknesses; and 3) developing strategic plans and priorities for future directions of the department. Pertinent information collected for the purpose of answering specific questions about the department's various components and activities will provide a firm foundation for evaluating the department.

Review, particularly of a small department, need not be long and complex. It should concentrate on essentials. A departmental review has two parts — 1) a self-study of the department and its programs by the departmental faculty and administration; and 2) a peer review by University faculty members from outside the department and usually two consultants from off campus.

b. Timing. Review of a specific department shall be carried out at least every seven years. The collegiate dean(s) shall establish a schedule for review of departments or programs within the college. Variations from the schedule may be justified for a review to occur before or after the usual period due to specific circumstances, e.g., a pending change in departmental leadership, specific problems that arise or the desirability of coordinating a review with an external accreditation evaluation.

c. Responsibility. The Executive Vice President and Provost has the responsibility for establishing general policy and procedural guidelines for departmental reviews. The Executive Vice President and Provost shall carry out this responsibility in consultation with appropriate faculty and administrative groups.

Within these general guidelines, the faculty of each college has the primary responsibility for establishing specific policies and procedures for departmental reviews. The collegiate dean has the responsibility for such reviews in accord with such policies and procedures. However, when graduate programs are involved, the specific college and the Graduate College share these responsibilities on a joint basis. In such cases, integrated procedures and guidelines for joint review of undergraduate and graduate programs in a unit are to be established.

Note: Throughout this subsection the terms "college(s)" and "collegiate dean(s)" are used to refer to a specific college or dean, to the Graduate College or dean, or to both functioning on a joint basis as specified in the above policy. Also, in this subsection, the term "department" will be used to refer to degree-granting academic units (i.e., traditional departments, non-department programs, and interdisciplinary programs).

d. Scope.

(1) General. Reviews should represent a comprehensive evaluation of all aspects of a department or program with recognition of the mutual dependency of programs and activities. An able student body, a faculty engaged in effective teaching and scholarship, effective administration, and adequate facilities and support services all contribute to the success of a department and must be reviewed as a whole.

(2) Units Reviewed. The basic units, for purposes of review, are defined as follows:

(a) In departmentalized colleges, the basic review unit is the individual department, school, or division, except as noted in subparagraph (b) below. Each such unit shall be reviewed as a whole with the review covering all undergraduate and graduate instructional programs that are the responsibility of the unit as well as the scholarly and creative activity and service programs of the unit. The term "departmental executive officer" (abbreviated DEO) refers to the academic administrator of any such unit.

(b) In instances where instructional programs do not correspond with departments, schools, or divisions (e.g., interdisciplinary programs), such programs will be reviewed separately, except that undergraduate and graduate programs are to be reviewed jointly whenever feasible.

(c) In non-departmentalized colleges, the undergraduate or professional instructional program of the college shall be reviewed as part of the collegiate review process. Reviews of graduate programs within non-departmentalized colleges also may be incorporated into the overall collegiate review, or the collegiate dean and dean of the Graduate College may jointly establish a separate schedule of reviews for such programs.

(3) Areas to Be Considered. The college(s) shall define the areas to be considered in reviews (e.g., mission, goals, and strategic plan, students, faculty, educational programs, scholarly and creative activities, service programs, facilities, support services, departmental administration, and financial resources). Factors to be evaluated and questions to be answered should be specified in each area.

It is intended that reviews be focused on specific areas and questions that are most relevant to the particular department or program. These areas and questions should be specified by the college(s) prior to each review in consultation with the department. As a result, the exact focus of the self-study and review will vary among departments. Listed below are the general areas that are ordinarily subject to a departmental review.

(a) Departmental Mission and Goals. The overall mission and goals of the department and their contribution to the college and University missions.

(b) Strategic Plan. The suitability of the departmental strategic plan and progress toward achieving plan goals.

(c) Students. Projected student enrollment over a seven-year period, admissions policies and procedures, quality, advising, governance, placement services, student perceptions of the department, its program, faculty, and administration.

(d) Educational Programs. Instructional programs of the department should be assessed in regard to:

(i) the learning objectives of the program;

(ii) curriculum content in relation to the learning objectives of the program;

(iii) student achievement of learning objectives of the program;

(iv) program changes since last review and success of changes in relation to program learning objectives;

(v) recommendations for program changes based on recent assessments and other pertinent data;

(vi) the relation of the program to the goals of the college;

(vii) the continuing need for the program;

(viii) the overall quality of the program; and

(ix) the interaction of faculty and students with other parts of the University (e.g., development of and participation in interdisciplinary programs).

(e) Scholarly and Creative Activities. The scope and excellence of scholarly and creative activities and their contribution to instruction. "Scholarly and creative activities" are meant to include "research" whether or not it is in the laboratory.

(f) Service Programs. The nature of programs or individual efforts that provide services to the college, to the University, to the state, to the nation, and to others; the contribution of service activities to instructional programs and scholarly and creative activities.

(g) Faculty. A profile of the faculty including educational background, teaching effectiveness, scholarly and creative contributions, and service. The assessment of faculty obviously is related closely to evaluation of educational and service programs and scholarly and creative activities.

(h) Facilities and Support Services. The adequacy of space and support facilities such as library, computers, staff assistance, instructional aids, equipment, and supplies. Assessment in this area also is related closely to evaluation of instructional and service programs and scholarly and creative activities.

(4) Criteria for Program Evaluation. Specific criteria for program evaluation are determined by the Executive Vice President and Provost. Emphasis in the departmental review should be placed on evaluating the need for various programs based on enrollment projections, their quality, and the way in which they relate to the goals of the program, the college, and the University. The program review should result in assessments based on the primary criteria of quality and centrality, and the secondary criteria of student demand, potential for excellence, external impact, and cost.

Particular attention should be focused on ways in which improvements in programs and functions can be achieved within currently available departmental resources, or if indicated by enrollment trends and other factors, with appropriately reduced resources. The review should identify areas of flexibility in resources which could allow future allocations.

e. Self-Study Committee. The dean will ask the departmental faculty to determine in consultation with the DEO the process for preparing the self-study report.

f. Self-Study.

(1) General. The first, and most crucial, step in the review process is the self-study to be carried out by the department or program faculty. The college(s) will establish specific guidelines to aid the department or program in preparing the self-study. These guidelines should ensure that the self-study:

(a) is evaluative, not solely descriptive, and identifies priorities and directions for the future;

(b) is carried out with consultation among faculty, students, and other appropriate groups;

(c) considers those quantitative data, including future enrollment projections, that are needed to provide an adequate description and evaluation of current and future status of the department;

(d) is distributed so as to make it available to all departmental faculty for their input or comment, prior to its being edited in a final form; and

(e) in final form shall be available for public dissemination. It will be made available to the department's faculty and to the external review committee members prior to the external review (paragraph g(1) below). Ordinarily, the self-study will achieve these goals by addressing the major areas described in paragraph d(3) above.

(2) Data. A standardized data format should be determined by the college(s). The use of data in standard formats already available in departments, colleges, or the Office of the Executive Vice President and Provost will reduce the need for special data collection efforts.

g. Post Self-Study Procedures.

(1) External Review. The review process will involve review by an external committee. Collegiate procedures regarding the external review may differ, but the following principles apply to all colleges:

(a) Committee members may not be members of reviewed unit;

(b) There will be at least two reviewers external to the University, unless the Executive Vice President and Provost approves a smaller number for good cause, such as the size of the unit reviewed;

(c) External reviewers will either participate as active members of a single review committee or they will submit their own separate written report;

(d) Procedures for selecting review committees and the description of the role of external reviewers must be approved by the Executive Vice President and Provost; and

(e) The committee will be advised that the review report shall not contain confidential personnel information concerning the DEO or other unit personnel.

(2) Consideration of Report and Administrative Response. The Executive Vice President and Provost's general policy will include procedures for the unit, the collegiate dean(s), and the Executive Vice President and Provost to consider and respond to review reports.

(3) Dissemination of Review Reports and Administrative Response. The external review committee will submit its report to the collegiate dean(s), who will convey it to the Executive Vice President and Provost and to the unit or program. Any written response from the unit or program will become part of the review report and will be conveyed to the Executive Vice President and Provost.

It is the policy of the University that either the review reports or their substance shall be made available to departmental faculty and students and, upon request, to others.

The dean, in consultation with the Executive Vice President and Provost, and with the dean of the Graduate College when the unit offers a graduate degree, prepares a final letter summarizing findings of the review and setting out recommendations and required remedial actions. The dean communicates this final letter to the DEO and the unit's faculty, as well as to the Executive Vice President and Provost.

h. Procedural Variations. The dean shall consider and may seek approval from the Executive Vice President and Provost for departures from these procedures in the case of particular reviews, where the dean and the unit or program faculty agree that variations from these procedures are appropriate and would be consistent with the purposes of the review.

28.3(2) Multi-Year Reviews of Departmental Executive Officers (DEOs) and Program Directors

(2/07; 10/09)

a. Purpose. These reviews serve two primary purposes: 1) they provide an occasion for deans to evaluate personnel in charge of programs and departments; and 2) they permit a systematic faculty evaluation of department and program leadership. These reviews may occur within the context of a departmental/program review but it is not required.

b. Timing. The timing of reviews of DEOs and program directors shall be established by collegiate rule but shall occur no later than the fifth year following initial appointment or prior to reappointment (if this occurs earlier) of the DEO or program director. Subsequent reviews of the DEOs and program directors shall also occur at least every five years but always prior to reappointment.

c. Responsibility. The faculty of each college has the responsibility to establish policies and procedures for reviews of DEOs and program directors. As a consequence, this policy should be written and publicly available. Furthermore, it should be approved by the Executive Vice President and Provost. The collegiate dean has the responsibility to conduct these reviews in accord with such policies and procedures.

d. Scope. Ordinarily, reviews should cover the following areas, recognizing that circumstances of the unit lead by the DEO or program director may alter the areas in which a DEO or program director is evaluated. This and other information shall at a minimum be based on information derived from systematic assessment of the views of the faculty members of the relevant department or program.

(1) Goal formation and attainment. The DEO or program director should take a leadership role in formulating appropriate goals for the unit, reflecting awareness of

educational and professional trends, and should consult with members of the unit in the process of doing so. Goals should be agreed upon with the reviewing authority at the beginning of the review period. An assessment should be made regarding the degree to which goals have been attained.

(2) Educational leadership. Effectiveness in stimulating programs aimed at professional development of faculty and staff, plus effectiveness in stimulating discussion of new ideas about teaching and programs and in encouraging and guiding promising developments through to implementation — encouragement of scholarly activity.

(3) Quality of personnel policies. Concern for and zeal in recruiting or encouraging the recruiting of the highest quality new appointments available; concern for enhancing faculty in accordance with the clear principle of merit; performance in applying principles and policies of equal employment opportunity to the recruiting, advancement and evaluation of faculty and staff; performance in evaluating associate and assistant administrators to promote professional development and enhance the performance of the administrator's office.

(4) Establishment of a congenial educational environment. Has the administrator helped to provide an environment within his or her unit and between the unit and other parts of the University that forwards the educational efforts of faculty and students?

(5) Resource acquisition. DEOs and program directors who have budgetary authority for academic units should seek to obtain resources adequate to enable the unit to achieve its full academic potential. DEOs and program directors should arrange for appropriate support services for the unit.

(6) Relationships among constituencies. Establishing and enhancing good working relationships with faculty, staff, students, external constituencies, and those other administrators with whom the DEO or program director being reviewed regularly interacts.

(7) Involvement of faculty and other relevant constituencies in planning and policy making. Providing opportunities for consultation through individual and group meetings; providing information (with the exception of information to which access is restricted by other policies) in a timely, full, and open manner to facilitate effective participation in planning and policy-making.

(8) Diversity. Promoting excellence in education by increasing the diversity of faculty, staff, and students is a central goal and a core value of The University of Iowa. The DEO or program director is accountable for making progress in diversity, including the areas of recruitment, mission(s), and climate.

(9) Reappointment. Faculty members should have the opportunity to recommend to the dean whether or not the DEO or program director should be reappointed as DEO or program director.

e. Review report. Recognizing that there is wide variation in the methods used by colleges for these reviews, the minimum requirements for reporting the results of the review of the DEO or program director are:

(1) The DEO or program director should have an opportunity to respond to the review in writing.

(2) The faculty should be informed in writing by the dean of the results of the review.

28.4 Reviews of Central Administration

a. Purpose. The primary purposes of this academic review program are twofold: 1) to provide an occasion for central administration officers to evaluate their programs and sub-units and, in return, to explain the roles, functions, procedures, and activities of their offices and officers to the faculty; and 2) to permit a systematic faculty evaluation of these offices and officers aimed at making recommendations for improvements in administrative structure and/or performance.

The review procedure is intended to improve the capacity of administrative offices and officers to support and enhance the teaching, research, and service goals of the University. Moreover, the academic review is intended to facilitate communication between administrative officials and the faculty, and to make it possible for the faculty to participate actively in the governance of the University.

b. Timing. The Office of the President and the offices of each vice president and the Executive Vice President and Provost of the University should be reviewed at least once every seven years. The University President shall consult with the Faculty Council in establishing a schedule of reviews.

c. Responsibility. The President of the Faculty Senate and a central academic officer shall be jointly responsible for the conduct of each review. For reviews of the offices of the vice presidents and the Executive Vice President and Provost, the responsible central academic officer shall be the University President. For reviews of the Office of the President, the responsible central academic officer shall be the Executive Vice President and Provost.

d. Scope. The reviews of central academic offices and the coordinated reviews under II-28.5 of central academic officers will focus upon operations that are clearly related to academic affairs or to the welfare of the faculty. In consultation with the administrator of the office under review, the Faculty Senate President and the responsible central academic official may include within the review other operations of that office. The review should represent a comprehensive evaluation of all aspects of the office on which it focuses, with recognition of the mutual dependency of programs and activities.

e. Review Committee.

(1) Membership. The ad hoc review committee for each central administrative office and officer will be appointed by the President of the University Faculty Senate and the central academic officer responsible for the review, with the advice and consent of the Faculty Senate. Normally, the review committee will consist of seven persons as follows:

(a) Chairperson: Appointed by the Faculty Senate President and the central academic officer responsible for the review with the approval of the Senate.

(b) External reviewer: Appointed as indicated above from among off-campus persons nominated in consultation with the central administrator whose office is to be reviewed.

(c) Two members from the Faculty Senate's Committee on the Selection of Central Academic Officials: Two appointed as indicated above from among the members of this Committee, in consultation with its Chair.

(d) Three additional faculty members: Appointed as indicated above. In the selection of these members, due consideration will be given to the representation of various faculty concerns, including Faculty Senate membership, and to the needs of the review committee for particular kinds of expertise, depending upon the office to be reviewed.

Selection of committee members will be made in accord with general University policies and practices regarding affirmative action.

(2) Budget. In establishing a review committee, the Faculty Senate President and the central academic officer responsible for the review will provide an appropriate

budget to make it possible for the committee to perform its duties effectively.

f. Self-Study. In preparation for a review, an office will prepare a self-study for the review committee. This Evaluation and Analysis Report will include, but not be limited to, the office's goals, rationale, programs, services, staffing, resources, internal evaluation processes, relations with other offices, and program strategies for improvement. The office is also encouraged to provide the review committee with the names of faculty members who through frequent interaction with the office may be able to provide the committee with helpful information for evaluating its performance. Within the general categories indicated, the following issues and questions should be addressed:

(1) Goals. What are the various purposes, aims, or goals of the office? How are these goals established and what is the faculty's role in this process? What priorities are given to the principal goals of the office? How have these priorities changed, or what plans for changes in priorities are envisioned? What are the goals of the sub-units of the office? How well do the subordinate administrative units perform?

(2) Rationale. In what ways are the goals of the office compatible with the role of the University and its mission statement? How are the programs administered by the office responding to the needs of the faculty, staff, and students, the people of the State of Iowa, and the nation? How are the office's goals and purposes coordinated with those of other University offices and agencies, and with the Regents of the University? Where appropriate, what are the relationships between the office and the Governor's office, the Iowa General Assembly, and other sources of University support and funding?

(3) Programs. What are the program activities of the office? What subordinate administrative units are involved in these programs? How effective are these programs? What are their strengths and weaknesses? Exactly how is the program effectiveness of the office determined and evaluated?

(4) Services. What are the services provided by the office and its sub-units? What support and facilities are provided to the faculty? How effective are the services provided for or supervised by the office? What plans and undertakings are being considered to upgrade teaching, research, and service facilities? What priorities are attached to present services, or to the logistical support services embedded in future plans?

(5) Staffing. What is the table of staff organization for the office? What are the salaries of staff persons? What are the strengths and weaknesses of the staff? How are staff persons recruited? How is their performance evaluated? Is the present staff adequate to provide the programs and services of the office? What are future staffing plans?

(6) Resources. What is the budget for the office? What priorities govern the allocation of budget resources administered by the office? What proportion of the office budget is allocated for activities or functions directly related to faculty teaching and research? What have been the changes in budgetary support for the office in recent years? How does the office evaluate its budget success? Are administrative costs too high, or too low? What facilities does the office have at its disposal? Are the facilities adequate? If inadequate, what changes need to be made, or are being planned? In general, what new resources are needed to improve the quality of education, research, and service provided by the University?

(7) Internal Evaluation. What are the procedures used by the office for the review and evaluation of that office and its subordinate administrative units? What is the timetable for such reviews? Have there been external reviews of sub-units? Are there plans for such external reviews?

(8) Relations With Other Offices. How does the office and its sub-units interact with other University offices? Does it maintain effective communications, cooperation, and coordination with other offices as needed? Is there duplication or overlap in functions and responsibilities with other offices?

(9) Strategies for Improvement. What areas in the office's performance are most in need of improvement? How does the office intend to improve its performance? What are its development plans? What specific lines of development are being pursued? How is this being accomplished?

These guidelines are intended to aid the office being reviewed in developing an Evaluation and Analysis Report. The report should, to the extent possible, emphasize academically related as opposed to purely housekeeping activities. Foremost in the report should be evaluation and analysis of activities directly associated with faculty teaching, research, and service.

g. Post Self-Study Procedures.

(1) Committee Authority. Specific procedures for conducting the review of central administrative offices and officers will be worked out by each review committee commensurate with the needs for information and assessments particular to the office involved.

(2) Consultation and Access to Information. The committee, in conducting the review, will confer with all persons (including the University President) having responsibility for framing policies, directing the office, or approving procedures that affect the relationship between the office and the faculty. The committee will examine all pertinent documents, and have access to all appropriate and necessary information. Opinions concerning the performance of the academic office and officer under review shall be solicited from members of the University community by at least the following means (as well as by any others deemed by the committee to be appropriate):

(a) publication in fyi of a call for such opinions;

(b) notification of the request for such opinions through the channels of administrative organization: deans to notify DEOs, DEOs to notify departmental faculty; a parallel method is to be used to bring the review to the attention of staff;

(c) the committee will attempt to identify faculty and others who because of their interaction with the office being reviewed may have especially useful information to provide to the review process, and the committee will solicit the comments of such persons.

(3) Meetings. The committee will meet as often as necessary to prepare their reports and recommendations.

(4) Committee Report. The review committee will prepare an Office Report, which will become a public document and will not contain confidential information related to the evaluation of the performance of the administrative officer. The report will summarize the findings of the review committee, and will include any recommendations it deems appropriate. This report will address the issues required to be discussed in the office self-study. A draft of this report will be submitted to the administrator of the office under review, primarily to allow for an opportunity to correct assertions of fact. The committee will meet and confer with the administrator under review and with the University President (or, if the University President is under review, with the President of the Board of Regents) to explain and discuss the principal recommendations in the draft report.

Once these processes have been completed, the final report will be forwarded to the President of the Faculty Senate and to the central academic officer responsible for the review. Copies of the final report will also be submitted to the administrator of the office under review (who may make copies for subordinates in or reporting to that office); if the President's office is under review, to the Board of Regents; and to the Chair of the Senate's Committee on the Selection of Central Academic Officials.

Appropriate provision will be made to have copies of the office's Evaluation and Analysis Report and the review committee's Office Report available to all University faculty members.

(5) Follow-up. The Chair shall reconvene the review committee approximately one year after its report is submitted to determine to what extent the recommendations contained in its report have been or are being implemented. At least three weeks in advance of this meeting, through fyi, the committee will solicit from the University community, perceptions of the effectiveness with which the recommendations of the Office Report have been implemented.

When the review was of a vice president's office, this meeting will include the President of the University, the vice president whose office had been reviewed, and the President of the Faculty Senate.

When the review was of the President's Office, this meeting will include the President of the Board of Regents, the President of the University, and the President of the Faculty Senate.

h. Procedural Variations. The central administrator responsible for a review and the Faculty Senate President shall consider and may jointly approve departures from these procedures in the case of particular reviews, where the responsible administrator and the Faculty Senate President, in consultation with the officer being reviewed and with the Faculty Council, agree that variations from these procedures are appropriate and would be consistent with the purposes of the review.

28.5 Multi-Year Academic Review of Administrators

(Amended 2/07)

The procedures described in this section pertain to periodic reviews of central academic officers (President, Executive Vice President and Provost, vice presidents) and deans. These procedures do not pertain to the review of other academic officers reporting to central academic officers or to deans, which fall under II-28.6 below. Procedures for the review of departmental executive officers and program heads and directors are described above in II-28.3(2).

a. Purpose. A periodic review of an academic administrator should have the following objectives:

(1) to develop a meaningful basis for the decision about whether or not to reappoint an administrator who is on a term appointment,

(2) to provide support for the continued appointment of of an administrator who is appointed at will,

(3) to enhance administrative performance of the administrator,

(4) to increase professional development for the administrator, and

(5) to improve accountability of the administrator to appropriate constituencies.

b. Timing. Periodic reviews of collegiate deans shall occur every five years without regard to the timing of the review of the college. Reviews of central academic officers shall coincide with the periodic review of the officer's office or academic unit. Ad hoc reviews of deans may be conducted outside the five-year cycle according to the provisions of II-28.5i below.

c. Responsibilities:

(1) The individuals with responsibility for initiating periodic reviews of academic offices and academic units, as specified above in II-28.2 Collegiate Review and II-28.4 Reviews of Central Administration, also have the responsibility for initiating periodic reviews of the respective academic officers. These individuals (hereinafter "initiators") shall receive the report of the review committee and shall be responsible for determining whether or not to offer the administrator a reappointment for an additional term.

(2) The administrator shall be responsible for preparing for the initiator and the review committee a self-assessment of his or her performance during the period under review. The self-assessment shall take into account recommendations of prior reviews, the goals and mission, and, if applicable, the most recent strategic plan of the office or academic unit. The administrator's self-assessment shall be delivered to the initiator before the review committee is appointed.

(3) The review committee shall work with the initiator to prepare an assessment tool (e.g., web survey) for the review.

(4) The review committee shall be responsible for gathering any additional information that it thinks necessary to prepare an assessment of the administrator's performance.

d. Review Committee Membership. For each periodic and ad hoc review, a review committee (hereinafter the "committee") shall be organized to compile information and make recommendations to aid in the overall assessment of the administrator. For reviews of central academic officers, the composition of the committee shall be as described above in II-28.4. For the review of deans, the composition of the committee will be determined by the Executive Vice President and Provost. The size of the committee may vary, but, at a minimum, each committee shall include:

(1) One faculty member from outside the college.

(2) Two faculty members from the college, selected in consultation with the faculty of the college.

(3) One staff member from the college selected in consulation with Staff Council.

For the purposes of this subsection, the definition of "faculty members" is equivalent to the definition of faculty members who may vote in collegiate elections of representatives to the Faculty Council and Faculty Senate.

e. Scope. The committee shall evaluate the administrator's performance within each of the following areas, taking into account the degree to which each area relates to the administrator's responsibilities. The committee should consult with the initiator in identifying those aspects of the following areas that are most pertinent to assessing the administrator's performance:

(1) Goal formation and attainment. Has the administrator taken a leadership role in formulating appropriate goals for the office or unit, reflecting awareness of educational and professional trends, and has he or she consulted with faculty of the office/unit in the process of doing so? If goals were agreed upon at the beginning of the period under review, to what degree have those goals been attained?

(2) Scholarship. Does the administrator encourage scholarship among the faculty and does he/she create an environment that fosters and encourages scholarly pursuits? Does he or she recognize excellence in scholarship?

(3) Educational leadership. How well does the office/unit fulfill its educational mission? How effective is the administrator in stimulating discussion of new ideas about teaching and in encouraging and guiding promising developments through to implementation? Has the administrator helped to provide an environment within the office/unit and between the office/unit and other parts of the University that enhances the educational efforts of faculty and students? Does the administrator establish a congenial educational environment?

(4) Personnel management. Does the administrator show concern for and zeal in recruiting or encouraging the recruiting of the highest quality new appointments available? How well does the administrator do in choosing, evaluating, and supervising subordinates reporting directly to him or her? How well does the administrator's office perform in general?

(5) Resource management. Does the administrator seek to obtain resources that are adequate to enable the office/unit to achieve its full academic potential, and does he or she arrange for appropriate support services for the office/unit?

(6) Relationships among constituencies. Does the administrator establish and enhance good working relationships with faculty, staff, students, external constituencies, and those other administrators with whom the administrator regularly interacts?

(7) Planning and policy making. Does the administrator: 1) involve the faculty and other relevant constituencies in planning and policy making; 2) provide opportunities for consultation through individual and group meetings; and 3) provide information (with the exception of information to which access is restricted by other policies) in a timely, full, and open manner to facilitate effective participation in planning and policy making?

(8) Human rights and diversity. Does the administrator provide effective leadership in the implementation of University policies relating to human rights and diversity, including policies on affirmative action?

(9) Promoting constructive innovation. Does the administrator encourage constructive suggestions for new goals or programs, or new ways for accomplishing ongoing goals more effectively?

(10) Scope of leadership. Has the administrator demonstrated knowledge of developments and educational leadership beyond his or her office/unit, including campuswide leadership and leadership at the state or national level, as appropriate to his or her responsibilities?

f. Procedures.

(1) The committee shall devise mechanisms for obtaining information and evaluations from relevant faculty, staff, and students with regard to the relevant performance areas identified in section e. The chair of the committee will consult with the initiator concerning the mechanisms to be used, and the identity of any other constituencies from which information or evaluative statements should be solicited.

(2) Central Academic Officers. The review committee evaluating a central academic officer will be responsible for soliciting from all members of the University community written and/or oral evaluations of the performance of the officer and the office under review. The committee will meet as often as necessary to review, discuss, and summarize in writing the results of this evaluation process, and to prepare any recommendations they deem appropriate.

(3) Reviews of deans. In partial fulfillment of their duties under the preceding paragraph, committees reviewing deans shall collect, through a questionnaire, anonymous faculty evaluations of the administrator. The questions will be informed by the categories of administrative performance listed in section e to the extent that they are relevant. The faculty questions will conform to the requirements of paragraphs (a)–(c) below, while the form and content of the questions directed at staff and students will be within the committee's discretion.

(a) Faculty respondents will be instructed to circle their responses for a single category/number on the following scale: *No Chance to Observe / 1 Strongly Disagree / 2 Disagree / 3 Agree / 4 Strongly Agree*. Each question will also provide an opportunity for a qualitative narrative response.

(b) At a minimum, the faculty questionnaire shall ask respondents to indicate the degree to which they agree or disagree with the following five statements (the "core questions"):

(i) The dean has my trust and respect. [*1 / 2 / 3 / 4*]

(ii) The dean does a good job in discharging the teaching mission of the unit. [*No chance to observe / 1 / 2 / 3 / 4*]

(iii) The dean does a good job in promoting the quantity and quality of faculty scholarship. [*No chance to observe / 1 / 2 / 3 / 4*]

(iv) Overall, the dean is effective. [*No chance to observe / 1 / 2 / 3 / 4*]

(v) The dean should be re-appointed for another term. [*Yes / No*]

g. Review Report.

(1) Preparation. The committee is responsible for assembling the information obtained from faculty, staff, and students; formulating conclusions; and making a recommendation concerning the retention of the administrator. It shall compile a report containing this information, and those conclusions and recommendations shall be confidential.

(2) Opportunity for Response. Upon completing its report, the committee shall transmit the report to the initiator who shall provide the administrator with a complete copy and permit the administrator to prepare a written response within 30 days.

(3) After receiving the administrator's response, if any, the committee will finalize the report.

(4) Informing faculty in the case of reviews of deans. In the case of such reviews, the Executive Vice President and Provost shall, after receiving the final report assembled under this section and in consultation with the review committee, transmit the recommendations and the substance of the committee's evaluation to the constituent faculty. Transmission to the faculty shall be within two months of the Executive Vice President and Provost's receipt of the committee's report, but not in the summer. In transmitting the results of the faculty questionnaire, the Executive Vice President and Provost shall report the response rate (the number and the proportion of the constituent faculty completing the questionnaire) and the aggregate responses (mean, standard deviation, median, and specific distribution) to each question posed to the faculty in the questionnaire, subject to the following limitations:

(a) If the Executive Vice President and Provost decides not to reappoint the administrator, or the administrator elects not to seek reappointment, it will be solely within the Executive Vice President and Provost's discretion which of the aggregate responses, if any, are reported to the faculty.

(b) Responses to the five core questions as defined in paragraph f(3)(b) above must be reported to the constituent faculty. The Executive Vice President and

Provost has discretion to share or not share the specific responses to the other questions provided the Executive Vice President and Provost gives the faculty a summary of the strengths and weaknesses identified in the evaluation.

(c) In every case, the Executive Vice President and Provost shall consult with the review committee concerning the transmission of the substance of the review committee's report to appropriate constituencies other than faculty, such as students and staff.

(5) Informing Relevant Constituencies in the Case of Reviews of Central Academic Officers. The final report shall be distributed in the manner provided in paragraph g(4) above.

h. Initiator's Assessment of the Administrator's Performance.

(1) Initiator Assessment. An additional step is required in the review of every administrator who is eligible for and willing to provide continued administrative service. This final step shall be an explicit written affirmation by the initiator that continued service by the administrator would be in the best interests of the University. Such an affirmation may be unconditional, or may be conditioned on changes in subsequent performance or on the receipt of a positive assessment of the administrator under a future ad hoc review. Administrators should consult with the initiator regarding guidelines for the handling of instances in which no affirmation is possible, or in which the initiator believes some significant improvement in performance is necessary, even if the administrator's performance is not so weak as to warrant a change in administrative leadership.

(2) Reporting. In addition to the communication called for by paragraph g(4) above, each constituency consulted in connection with a periodic review of an administrator shall receive appropriate and timely feedback as to the initiator's decision regarding the administrator. This shall include express notification of the faculty that the initiator has affirmed that continued service by the administrator would be in the best interests of the University. In the event that the initiator makes a determination that is at odds with the retention recommendation of the review committee based on its overall assessment of the administrator, the initiator shall discuss with the faculty the reasons for reaching a contrary determination.

i. Ad Hoc Reviews.

(1) Constituent faculty may conduct ad hoc reviews of their administrator. Such reviews shall occur when ordered by the initiator: 1) on his or her own motion, 2) upon the request of the administrator, or 3) upon the request of the faculty pursuant to paragraph i(2) below.

(2) The faculty, as defined in paragraph d(1)(c) above may request an ad hoc review of the administrator by petitioning the initiator. If 50 percent or more of the faculty petition the initiator, he or she shall order an ad hoc review. If 25 percent to 50 percent of the faculty petition the initiator, he or she shall meet with the petitioning faculty and discuss the request. Thereafter, the initiator shall decide whether to order an ad hoc review.

(3) Ad hoc reviews will be conducted in the same manner as periodic reviews subject to modifications jointly agreed upon by the initiator and the committee pursuant to paragraph j below.

j. Procedural Variations. The initiator may consider and approve, for good cause shown, departures from these procedures in the case of particular reviews, if the initiator and the review committee agree that variations from these procedures are appropriate and would be consistent with the purposes of the review.

28.6 Annual Review of Administrators

a. Applicability. This procedure is intended to guide the President in the review of the vice presidents, the Executive Vice President and Provost in the review of those collegiate administrators reporting to the Executive Vice President and Provost, and each dean in the review of those administrators of collegiate departments or programs who report to the dean.

b. Agreement of Goals. Each year, each administrator being reviewed and each person evaluating an administrator ("the evaluator") will agree on a brief written statement of goals the administrator will pursue during the coming year. These goals should be linked both to the general categories within which the administrator is assessed on a multi-year basis (for example, "educational leadership"), and to particular priorities identified through multi-year reviews of the administrator's unit, through strategic planning, and through consultation with faculty members in the unit and with other constituencies, as appropriate.

c. Annual Assessment Procedure. Each evaluator shall conduct an annual assessment of each administrator's progress in achieving goals established for the year. In assessing progress, each evaluator should obtain the views of each administrator as to the progress made on each goal. The evaluator should discuss with the administrator his or her progress and the evaluator's assessment of the administrator's achievements, and will provide a brief written summary of the results. The administrator has the right to offer a written response to the review.

d. Public Input. Faculty, students, staff, and other administrators should be made aware of the annual review processes and should be advised how to contribute their views to appropriate evaluators. Systematic interviewing or surveying, characteristic of the multi-year reviews, need not be a part of an annual review, except as an evaluator may deem it necessary. An evaluator who receives comments relevant to an annual review should share the substance of such comments with the administrator and make some appropriate response. This response may entail further investigation of an administrator's performance.

e. Variations in Timing. Any administrator responsible for 20 or more informal evaluations under this section may implement the steps contemplated in paragraphs (b) and (c) every 18 months, instead of annually. With regard to any particular administrator reviewed on an 18-month basis, the Executive Vice President and Provost, in consultation with the reviewing administrator, may determine that an annual review is appropriate.

II. Community Policies

Chapter 29 – Hearing Regulations for Alleged Violations of Regents Rules

(Regents 5/10-11/73)

29.1 Scope

These regulations establish procedures for adjudicating cases involving alleged violations of the Uniform Rules of Personal Conduct at Universities under Jurisdiction of the Board of Regents, State of Iowa, as revised by the Board of Regents in June of 1971, and as such rules may be revised subsequently.

29.2 Definitions

As used in these regulations, each of the following words has the indicated meaning:

a. "Faculty member" means an individual holding an academic appointment with the rank of instructor, assistant professor, associate professor, or full professor, and such other individuals, who may hold various titles, as may be defined as faculty member by action of the Faculty Senate, with the concurrence of the President. For purposes of the notice and review provisions of these regulations:

(1) full-time faculty members who fall within the definition of "student" in subsection b of this section shall be treated as faculty members; and

(2) part-time faculty members who fall within the definition of "student" in subsection b of this section may elect to be treated as faculty members or students. If such a part-time faculty member fails to exercise the option within three days of the sending of Notice of Charges, he or she will be classified as a faculty member.

b. "Student" means a person who is currently registered as a student at the University in an undergraduate, graduate, or professional program on campus.

c. "Staff member" means any person not a member of the faculty who is employed by the University. For purposes of the notice and review provisions of these regulations:

(1) full-time staff members who fall within the definition of "student" in subsection b of this section above shall be treated as staff members; and

(2) part-time staff members who fall within the definition of "student" in subsection b of this section may elect to be treated as staff members or students. If such a part-time employee fails to exercise the option within three days of the sending of Notice of Charges, he or she will be classified as a staff member.

d. "President" means the chief executive officer of the University or any person designated by the President to act on his or her behalf for purposes of these regulations.

e. "Academic Officer" means the chief academic officer of the University under the President (Executive Vice President and Provost) or the person designated by the Academic Officer to perform certain functions on his or her behalf for purposes of these regulations.

f. "Rules" mean the Uniform Rules described in II-29.1 of these regulations.

29.3 Hearing Officers

a. List of Hearing Officers. The American Arbitration Association, or other similar neutral body, will be asked to provide the President with the names of fifteen persons from institutions of higher learning other than Regents institutions who have earned law degrees or have experience as hearing officers, arbitrators, or mediators, and have consented to serve the University as hearing officers.

The President shall forward the list to the Faculty Senate, the Staff Council, and the Student Senate. Each group may strike from the list up to three of the persons named. The President shall be informed of the decision to strike within two weeks of the list being forwarded. Those whose names remain on the list after the two-week period shall constitute the hearing officer list.

If at any time membership on the hearing officer list falls below five, the President will ask for a new list of fifteen qualified persons from the American Arbitration Association, the selection process will be repeated, and the remaining names will be added to the existing list.

b. Drawing and Challenges. When a case is to be heard, the presiding officer of the appropriate Judicial Commission shall place the names of the members of the hearing officer list on separate slips and a drawing will be held, with the person whose name is drawn first being designated as hearing officer, subject 1) to the person so designated expressing a willingness to serve and 2) to a peremptory challenge by either the person charged or the Academic Officer. If the hearing officer selected feels that he or she would not be able to conduct an unbiased hearing, such person shall disqualify himself or herself. The person charged and the Academic Officer shall have one peremptory challenge which must be exercised within twenty-four hours of a name being presented to them.

If the person selected expresses a willingness to serve, that person's name will be presented to the Academic Officer. If the Academic Officer does not exercise a peremptory challenge, his or her right to challenge shall be deemed waived, and the name will be presented to the person charged. If the person charged does not exercise a peremptory challenge, the person selected will be the hearing officer. If the person charged does exercise a peremptory challenge in such a situation, a new drawing will take place and the first person whose name is drawn and who indicates a willingness to serve will be the hearing officer.

If when the name is presented to the Academic Officer, he or she exercises a peremptory challenge, a new name will be drawn, inquiry as to willingness to serve made, and the name of the person first drawn who expresses a willingness to serve will be presented to the person charged. If the person charged does not exercise a peremptory challenge, the person whose name was presented will be the hearing officer. If the person charged does exercise a peremptory challenge, a new drawing will take place, and the first person whose name is drawn and who indicates a willingness to serve will be the hearing officer.

29.4 Communications and Computation of Time Periods

a. Communications prescribed by these rules may be sent by certified United States mail or by messenger. Methods in which evidence of receipt is obtained are preferred. Communications to a person charged shall be sent to the local address, a home or permanent address if one appears in the University records, and the University office address if current University records indicate that the person charged has such an address. If circumstances warrant it, communication should also be made by publication in an appropriate newspaper.

b. In computing any period of time prescribed or allowed by these regulations, the day of the act or event from which the designated period of time begins shall not be included.

The last day of the period so computed shall be included, unless general University offices are not open on that day, in which event the period runs until the end of the next day during which general University offices are open. Communications by mail are deemed complete upon mailing.

c. For good cause shown, any time period may be extended for a specific number of days or any proceeding continued to a specific date by the Academic Office or the hearing officer.

29.5 Status of Person Charged Pending Final Action

Pending final action on charges brought under the provisions of these regulations, the status of a person charged shall not be altered except as this may occur by actions of the President under emergency powers set forth in the Rules or as directed by a court order.

29.6 Right to Counsel

A person charged and the Academic Officer each may by represented by no more than two persons — legal counsel or other adviser — of his or her own choosing in all proceedings provided for the these regulations. If the person charged has been unable to obtain the assistance of legal counsel or other adviser, the presiding officer of the appropriate group — Faculty Senate if a faculty member is the person charged; Student Senate if a student is the person charged; Staff Council if a staff member is the person charged — shall attempt to obtain the services of a qualified person to assist the person charged in the preparation and presentation of his or her case. If after reasonable efforts counsel has not been obtained, the hearing shall proceed.

29.7 Initial Steps

a. Complaints. A complaint that a person has violated the Rules may be filed with the Academic Officer by any person, or a complaint may be initiated by the Academic Officer.

b. Preliminary Actions. If a complaint has been filed with the Academic Officer, the Academic Officer shall make such brief investigations as may be necessary to decide whether probable cause exists to believe that the person about whom a complaint has been made has violated the Rules. The Academic Officer's investigation ordinarily shall be completed within thirty days following receipt of the complaint. During the period of investigation, the Academic Officer may discuss the matter with the person about whom allegations have been made and reach a mutually acceptable settlement of the matter.

(1) If, at this time or any later time, the Academic Officer decides that probable cause does not exist, he or she shall notify the complainant and the matter will be deemed closed.

(2) If the Academic Officer decides that probable cause does exist, he or she shall formulate a Notice of Charges as provided in paragraph (c) of this section.

c. Notice of Charges. The Notice of Charges shall quote the rule or rules asserted to have been violated, shall set forth in reasonable detail the reported circumstances of the alleged misconduct, shall set forth the sanction the Academic Officer plans to recommend to the hearing officer, and shall describe the options available to the person charged under these procedures. A copy of the Notice shall be sent to the person charged, the presiding officer of the faculty, student, or staff Judicial Commission, depending upon the group from which the person charged comes, and to the complainant if other than the Academic Officer. The Notice of Charges shall include a copy of these regulations and of the Rules.

29.8 Hearing Option

Within ten days from the date of the Notice of Charges, the person charged may, by notice in writing to the Academic Officer, indicate his or her decision to have the charges adjudicated by a hearing officer.

29.9 Failure to Respond

a. If the person charged fails within ten days to give the notice called for in II-29.8 above, the Academic Officer, at his or her discretion, shall take one of the following actions:

(1) notify the person charged that the case is being referred to a hearing officer for adjudication; or

(2) notify the person charged that the sanction listed in the Notice of Charges, or a lesser sanction, will be imposed. In such a case, the matter shall be deemed closed.

b. A person on whom a sanction is imposed under the provisions of subsection a(2) of this section may request that the Review Panel set aside the sanction on the ground of failure in fact to have received notice. The Review Panel may set aside the prior action and order a new proceeding only if it finds 1) that reasonable doubt exists that notice was received, and 2) that the person charged acted in good faith in that he or she took no action to avoid receiving notice.

29.10 Informal Discussions with Academic Officer

At any time prior to final action, the person charged may arrange a conference with the Academic Officer to discuss the case. If agreement is reached between the person charged and the Academic Officer, a written statement of the disposition of the case shall be prepared and signed by the person charged and by the Academic Officer. A copy of the settlement agreement will be forwarded to the appropriate faculty, student, or staff Judicial Commission.

29.11 Proceedings Before Hearing Officer

a. Within seven days of having been appointed, the hearing officer shall notify the parties in writing of the time, date, and place of the hearing. The hearing shall be scheduled no earlier than five days after the date such notice is mailed. The hearing officer may require the parties to provide in advance of the hearing the names of witnesses who will be called by the parties and list of all other items which will be submitted in evidence. If such information is required, it shall be made known to the other party at least two days before the appearance of the witnesses or the submission of the evidence. The two-day rule does not apply to witnesses who may be called for rebuttal purposes. In his or her discretion, the hearing officer may waive the two-day rule where it appears that such waiver will not prejudice the party not calling the witness or submitting the evidence. If any prejudice seems likely, the hearing shall be delayed for an appropriate period so that prejudice will be avoided.

b. Open Hearings.

(1) Unless the person charged or the Academic Officer requests otherwise, the hearings will be open. The party requesting that the hearings be closed shall notify the hearing officer and the other party of this desire at least forty-eight hours in advance of the hearing. After hearing arguments from the person charged and the Academic Officer on the request to close the hearings, the hearing officer, in his or her discretion, shall decide whether or not the hearings should be closed. The question whether the hearing shall be open or closed shall be the first issue to be considered.

(2) At the request of either party made prior to the commencement of the hearing, the hearing officer will exclude prospective witnesses, other than parties, from the hearing room during testimony of other witnesses.

c. The hearing officer shall preside over the hearing and shall rule on all questions regarding the conduct of the hearing, including the admissibility of evidence.

d. The failure of the person charged to appear shall not be taken as indicative of guilt and shall not prejudice his or her case in any way. The hearing officer may proceed in the absence of any party who, after due notice, fails to be present or who has been excluded from the hearing because of disruptive conduct.

e. The hearing officer shall have the power to have removed from the hearing any person who disrupts the proceedings. If a party to the proceeding or the adviser or counsel of such party, or any or all of them, are ordered removed for actions disrupting the proceeding, all reasonable efforts shall be made to keep them informed about the proceeding. The hearing officer, in his or her discretion and in the absence of a request from either party, has the authority to close the hearing if in the judgment of the hearing officer it seems likely that the hearing, once disrupted, will again be disrupted. The hearing officer's decision to close the hearing to persons who are not parties, counsel, or advisers shall be in his or her discretion and shall not be subject to review. The hearing officer's decision to order from the hearing persons who are parties, counsel, or advisers shall be subject to review by the appropriate review panel and shall constitute reversible error if the record shows that the hearing officer acted unreasonably in the circumstances.

f. A tape recording or stenographic account shall be made of the hearing, except that on order of the hearing officer procedural matters may be discussed off the record. After the time for all administrative reviews has elapsed, the recording or stenographic account shall be turned over to the presiding officer of the appropriate Judicial Commission who shall keep it for one year and shall make it available under his or her supervision to all parties in the case.

g. The Academic Officer shall have the burden of proving the alleged violation and shall present evidence first. The Academic Officer's burden of proof shall be satisfied only by clear and convincing evidence in the record considered as a whole.

h. The parties may offer such evidence as they desire and shall produce such additional evidence as the hearing officer may deem necessary to an understanding and determination of the dispute. The hearing officer shall be the judge of the relevancy and materiality of the evidence offered. Conformity to the legal rules of evidence shall not be necessary. All evidence shall be taken in the presence of the parties, except where a party is absent by default or is excluded for cause. The hearing officer may require University officers and employees to produce records or other exhibits if such records or exhibits are not confidential under state or federal law. Upon request, the hearing officer shall exclude evidence acquired in violation of the search and seizure provisions of the United States and Iowa constitutions if such evidence would be excluded in a criminal proceeding in a federal or state court.

i. The parties and their legal counsel or advisers may present witnesses and examine them, and cross-examine all witnesses called by the other party. In his or her discretion, the hearing officer may limit the number of witnesses to be heard where it is clear that additional witnesses will not add new information for the record.

j. If the person charged elects to testify, he or she shall be subject to cross-examination. The person charged may not be required to testify, however.

k. The hearing officer may receive and consider written statements of persons unable to appear as witnesses. Such statements may be given whatever weight appears appropriate, but before a written statement is given any consideration, the party not introducing it shall receive a copy of the statement and be given a reasonable opportunity to obtain answers to written interrogatories submitted to the person whose written statement is offered. If the written interrogatories are submitted and, in the judgment of the hearing officer, are not answered in a timely and satisfactory manner, the statement shall not be received in evidence.

l. In his or her discretion, the hearing officer may grant adjournments and continuances upon the request of a party or upon the hearing officer's own initiative.

m. The hearing officer shall inquire specifically of all parties whether they have any further proofs to offer or witnesses to be heard prior to the ending of the hearing. If briefs are to be filed, the hearings shall be declared ended as of the final date set by the hearing officer for the receipt of briefs.

29.12 Raising the Issue of Enforceability

If a person charged wishes to challenge the constitutionality or legality of any Rule or regulation on which a charge is based, notice of this fact shall be given to the appropriate presiding officer prior to any hearing. The presiding officer will then set the case for argument before the entire Judicial Commission on this issue, and may request that the parties submit written briefs. If a majority of the Judicial Commission concludes that the Rule or regulation at issue is unconstitutional or illegal, the Judicial Commission shall make that fact known to the President, and request a determination of the issue by the President prior to remanding the case to the hearing officer for an adjudication on the facts. If the President decides that the Rule or regulation is constitutional and legal, the hearing officer and the review panel will accept that decision and apply the Rule or regulation as written. If the days of the notice of challenge being submitted to the presiding officer, the Rule or regulation being challenged shall be deemed constitutional and legal, and an adjudication on the facts shall proceed.

While the failure to raise the issue of constitutionality or legality as provided in this section shall preclude the person charged from raising the issue in proceedings under these regulations, it shall not be deemed to preclude the person charged from raising such an issue in any judicial proceeding he or she may institute to challenge the Rules and regulations or any sanctions imposed under them.

29.13 Recommended Decision

Within thirty days of the conclusion of the hearing, or from the time set for the submission of briefs if later, the hearing officer shall render a decision in the form of a recommendation to the President. In extraordinary circumstances, the decision may be rendered after the thirty-day period but in no event shall the decision be rendered more than forty-five days after the conclusion of the hearing. The hearing officer's decision shall include 1) findings of fact, 2) conclusions with respect to violation of the Rules drawn from such findings, and 3) recommended sanctions, requirements, or remedial action, if any. The written report of the hearing officer shall be distributed to the person charged, the Academic Officer, the President, and the presiding officer of the appropriate Judicial Commission, depending upon whether the person charged is a faculty member, student, or staff member.

29.14 Sanctions

a. General. Sanctions must be consistent with the provisions of the Rules. Any suitable combination of sanctions may be imposed.

b. Types of Sanctions.

(1) Letter of warning or censure.

(2) Denial or specified privileges for specified periods.

(3) Assessment of monetary damages to cover expenses incurred in restoring property of the University which was damaged or destroyed as a result of misconduct by the person charged.

(4) Assignments of specific tasks for the betterment of the University community.

(5) Suspension for a specific period to time.

(6) Dismissal from employment or expulsion from the University.

29.15 Reopening of Hearings

At any time prior to the rendering of a decision by the hearing officer, a hearing may be reopened by him or her on motion of either the person charged or the Academic Officer, if such motion is accompanied by a showing of good cause. Such showing is limited to either the discovery of new evidence or the existence of substantially changed circumstances.

29.16 Review

If the person charged wishes a review of the decision of the hearing officer, the following procedures shall be followed:

a. Request for Review. Within ten days from the date of the report of the hearing officer, the person charged may submit a written request for review to the presiding officer of the appropriate Judicial Commission — the faculty Judicial Commission if a faculty member has been charged; the staff Judicial Commission if a staff member has been charged; the student Judicial Commission if a student has been charged. A copy of the request shall be sent to the Academic Officer and the hearing officer. For good cause shown, the presiding officer of the Commission may grant a ten-day extension of the ten-day time limit. If he or she does so, the presiding officer shall inform the Academic Officer of the decision and the reasons for it. In the request for review, the person charged should specify whether the request is for a review of the conclusions, or of the recommended sanctions, or both.

b. Review Panels. The Faculty Senate, Student Senate, and Staff Council each shall create Judicial Commissions, from among whose members Panels shall be selected to hear requests for review of a hearing officer's decision. Such Panels shall consist of five members, with three persons constituting a quorum; shall be standing committees; and shall have standby members to sit if a member of the Panel is disqualified or unable to sit. The order in which standby members will be called on to serve shall be fixed at the time the Panels are constituted. A Panel member may be disqualified for cause, but no peremptory challenges shall be allowed. Challenges for cause shall be ruled on by the Chairman of the appropriate Judicial Commission. The Panel shall reach a decision within twenty-five days of a case being referred to it. If the Panel fails to reach a decision within the twenty-five-day period, the President will make a final decision on the basis of the hearing officer's recommendation.

c. Basis for Accepting Requests for Review. Whenever a suspension, dismissal, or expulsion has been recommended by the hearing officer, the request for review by the person charged shall automatically be granted. In other cases, the person charged shall in his or her request for review set forth the grounds for believing the findings to be erroneous or the sanction unfair, or both. Such request shall be granted if two or more members of the Panel vote to accept the request.

d. Additional Evidence. The Panel will review the case on the basis of the record of the hearing before the hearing officer. If the Panel deems the record of the proceedings before the hearing officer insufficient to permit it to review the case intelligently, the Panel may remand the case to the hearing officer for further proceedings. The remand order shall state specifically what additional evidence should be taken. A case may be remanded only twice and the rehearing by the hearing officer shall take place as soon as reasonably possible after the remand.

e. Record of Hearing. The taped record or transcript of the hearing before the hearing officer shall be made available to the parties and to the Panel.

f. Disposition. The Panel generally will hear oral arguments in cases on review, but may elect to decide the case on the basis of the taped record or transcript of the hearing before the hearing officer and written briefs. The Panel will be bound by the findings of fact made by the hearing officer, but not by the conclusions drawn from the facts or the sanctions recommended by the hearing officer. The presiding officer of the Panel will notify counsel and the parties of the date and place of the Panel hearing at least two days in advance of such hearings. The Panel may request written briefs, either before or after a hearing.

g. Decision. The Panel shall render a written decision as soon as possible after the hearing, but at least within the twenty-five-day period mentioned above. The Panel's decision shall be in the form of a recommendation to the President.

29.17 President's Review and Decision

a. After reviewing the record and recommendations of the hearing officer and the Panel, if the case has been reviewed by a Panel and the Panel has forwarded its recommendations within twenty-five days of the request for review, the President will determine what sanction or sanctions, if any, shall be imposed. In making such decision, the President shall give great weight to the recommendations of the Panel and shall be bound by the burden of proof standard established in II-29.11 of these regulations. There will be no oral argument before the President. Either party may submit an additional brief to the President, within five days of the matter being referred to the President. The President shall communicate his or her decision to the Chairperson of the appropriate Judicial Commission within thirty days of the case being referred to him or her. In the absence of a decision by the President within thirty days, the recommendation of the Panel, if one has been made, shall become the decision of the case; and the recommendation of the hearing officer shall become the final decision if the President fails to make a decision within thirty days and there is no timely recommendation from the Panel. In any event, the parties shall be informed in writing of the final disposition of the case ad of the fact that the decisions will be implemented, subject only to a decision by the Board of Regents to accept from the person charged a request for review.

b. If the President accepts the recommendation of the Panel if one is submitted within the twenty-five-day period or imposes a lesser sanction than that recommended by the Panel, appropriate administrative action shall be taken to implement the decision and the case will be deemed closed, subject only to a decision by the Board of Regents to grant a request for review from the person charged. If the President rejects the recommendations of the Panel, the case shall be returned to the submitting Panel along with a written statement of the President's reasons for the action taken, a copy of which shall be provided to the person charged. Within seven days of receiving the case from the President, the Panel shall reconsider it and report its recommendation to the president. The President shall then make a final decision, giving great weight to the Panel recommendation, and have the decision implemented administratively. At this point, the case shall be deemed closed, subject only to a decision by the Board of Regents to grant a request for review from the person charged.

29.18 Review by the Board of Regents

Review by the Board of Regents is governed by III-31 Appeals by Employees to the Board of Regents, these sections containing the review policy of the Board of Regents as adopted in March of 1970. If the Board changes its review policy, the new review policy will be followed. The request for review by the Board of Regents must be made within fifteen days of the final decision referred to in II-29.17. If no such request is made, the matter shall be deemed closed and the final decision by the President will become the rule of the case.

29.19 Visitors

A person who is not a faculty member, student, or staff member who violates the rules and who later seeks to attain status as a faculty member, student, or staff member shall, at the time such status is requested, be subject to these procedures under the provisions governing a person holding the status requested. Thus, a person applying for a position on the faculty who requests review of a hearing officer's decision shall have his or her case reviewed by a faculty Panel; a person applying for status as a student who requests a hearing officer's decision shall have his or her case reviewed by a student panel; and a person applying for status as a staff member who requests a hearing officer's decision shall have his or her case reviewed by a staff member Panel.

29.20 Amendment

These regulations, having been approved by the Board of Regents, may be amended only by action of the Board of Regents. The Board agrees that no change shall be made in the regulations or the Rules prior to consultation with appropriate groups at the University.

II. Community Policies

Chapter 30 – Housing

(Amended 9/93; 4/13)

30.1 Faculty and Staff in University-Owned Housing

A limited number of University-owned houses and apartments are available for incoming faculty and staff on a temporary basis while they seek permanent housing. Occupancy is limited to two years. Faculty and staff are encouraged to limit occupancy to one year. Rental rates are increased significantly in addition to the market-adjusted rental rate each year after the first year.

New incoming faculty and staff will be assigned University-owned housing on a date-of-application basis. Applicants must be able to show proof of University affiliation at time of assignment.

Faculty and staff who have lived in the Iowa City area more than three months are not eligible to rent these homes.

30.2 Students in University-Owned Housing

A few University-owned houses are available to registered University of Iowa graduate students. A few University-owned apartments are available to registered University of Iowa undergraduate and graduate students. Occupancy is limited to two years and/or the completion of an undergraduate, graduate or professional school program.

Assignments for these University-owned properties are made on a date-of-application basis. Students, graduate and undergraduate, must be able to show proof of University affiliation at time of assignment.

II. Community Policies

Chapter 31 – (Reserved for future use)

II. Community Policies

Chapter 32 – Office of Governmental Relations

(9/97; 9/11)

32.1 Purpose

The Office of Governmental Relations, under the supervision of the Office of the Vice President for External Relations, oversees and coordinates University relationships with national and state elected officials, their staffs, and with governmental agencies. The Office of Governmental Relations has a significant role in facilitating The University of Iowa's strategic plan to build strong ties with external constituencies by organizing programs designed to provide members of the public with information about regulatory and legislative issues of importance to the University and/or to encourage public support for the University. Activities include coordination with the State Relations Officer for the Board of Regents; advising the President and other University officials regarding state and federal legislative strategies and providing assessments of proposed legislation; participating in University outreach efforts; working with the Executive Vice President and Provost, vice presidents, and directors of major administrative units in development of budget requests and legislative initiatives; managing responses to legislative inquiries and requests for information; and coordinating contacts with state and federal officials, other state institutions of higher education, and various other entities having relationships with The University of Iowa in the area of governmental relations.

32.2 Legislative Policy Making

The Board of Regents is solely responsible for legislative policy making for the Regent universities. Under its overall governance authority, it designates the State Relations Officer an organizes the State Relations Officer activities of the universities. These activities are vital to the continued academic and fiscal well-being of the institutions and public higher education in Iowa. Such activities involve complex questions of public policy, regental responsibility, institutional objectives, and budgetary considerations. At The University of Iowa, the designated State Relations Officer is incorporated in The University of Iowa Office of Governmental Relations. All state and federal legislative activities are to be coordinated through the Office of Governmental Relations.

32.3 Function of State Relations Officers

State Relations Officers are employees of the Board of Regents. They are responsible for transmitting and explaining policies of the Board of Regents and the universities to the General Assembly and other state officials. The State Relations Officers conduct their duties under the direction of the Board of Regents. In addition, each representative has special responsibilities to their designated university. These include explanation and communication of board policies which relate specifically to that university; communication of information concerning the particular mission, program, strengths, needs, and goals of the institution; and advocacy consistent with the accomplishment of the institutional objectives approved by the board. The development of legislative strategy is the responsibility of the board and the board president in conjunction and consultation with the Regents' State Relations Officers and the executive director, and the university presidents.

32.4 Role of Faculty, Staff, and Students

The expertise or viewpoints of individual faculty, staff, and students are frequently essential in developing assessments of the potential impact on the University of proposed policy and legislation. In this context, when consistent with Regent institutional objectives, the staff of the Office of Governmental Relations may facilitate direct communication to elected officials by University faculty, staff, and students. While faculty, staff, and students are also free to communicate individually with elected representatives about their personal views, it is important that any communication which is not coordinated through the Office of Governmental Relations be carefully framed so as not to imply that the individual is communicating an institutional position or viewpoint on behalf of the University (see II-33 Use of University Name).

32.5 Office Resources

Files of legislation and related materials for the current legislative biennium are maintained in the Office of Governmental Relations. Questions about the application of policy and The University of Iowa legislative program may be directed to the Office of Governmental Relations.

32.6 Lobbying Restrictions Applicable to Public Employees and Officials

a. General. The following outlines regulations and restrictions on lobbying by public employees as imposed by Chapter 68B of the *Iowa Code*. The outline is not a substitute for the law, but is intended to guide and put University employees on notice of their responsibilities under the law.

b. Definitions. The following definition of lobbyist should be consulted to determine whether you are considered a lobbyist or lobbyist's client under the law.

(1) A lobbyist:

(a) is an individual who receives compensation for the purpose of acting directly to affect legislation or a rule;

(b) is a designated representative of an organization which has as its purpose affecting legislation or a rule;

(c) represents a government entity for which the person serves or is employed as designated representative for the purpose of affecting legislation or a rule; or

(d) lobbies for himself or herself and expends more than $1,000 per calendar year.

(2) The following individuals are not lobbyists under the law:

(a) political party officials;

(b) news media;

(c) elected government officials while performing the duties of office;

(d) persons who give testimony or provide information to the General Assembly, at public hearings of state agencies or who provide information or assistance at the request of public officials or employees (Note: this excludes most faculty, staff, and administrators from the definition of a lobbyist);

(e) agency officials and employees while engaged in activities within the agency they serve or with another agency one's agency collaborates with on projects;

(f) staff of the United States Congress or the Iowa General Assembly;

(g) persons who are members of organizations who are not paid compensation or not designated by the organization as a lobbyist; and

(h) persons who submit data, views, and arguments in a presentation to the administrative rules committee.

(3) A client: a private person or a state, federal, or local government entity that pays compensation to or designates an individual to be a lobbyist.

c. Purpose. The law primarily imposes registration and reporting restrictions on lobbyists and their clients the purpose of which is to better regulate lobbying activities.

d. Registration requirements. All lobbyists must register on or before the date their lobbying activities begin. A University employee is prohibited from lobbying on behalf of the University, unless the employee's registration includes a statement designating the employee as its representative. Executive Branch lobbyists must register with the Iowa Ethics and Campaign and Disclosure Board. Legislative Branch lobbyists file with the Secretary of the Senate or the Chief Clerk of the House. Legislative Branch registrations expire at the beginning of each session. Executive branch registrations expire at the end of each calendar year. Changes must be registered within ten days once known to the lobbyist. The lobbyist may cancel the registration if service concludes before the expiration.

e. Reporting requirements for lobbyists. As applied to University faculty and staff, lobbyists must report the names of clients, contributions to candidates for State Office during the months the General Assembly is not in session, contribution recipients, and the lobbyist's expenditures for direct lobbying. Legislative lobbyists must file reports not later than twenty-five days after the end of each month during the legislative session, and thereafter by July 31, October 31, and January 31. Executive Branch lobbyists must file reports by April 30, July 31, October 31, and January 31 for the preceding calendar quarter.

f. Reporting requirements for clients of lobbyists. Clients of lobbyists must report information regarding salaries, fees, and retainers paid for lobbying during the preceding six months. Reports are due January 31 and July 31. The January 31 report must provide cumulative totals of reimbursements, salaries, fees, and retainers for the preceding year. Clients of Executive Branch lobbyists must file reports with the Iowa Ethics and Campaign Board. Legislative Branch clients report to the Secretary of the Senate or the Chief Clerk of the House.

g. Registering as a lobbyist. Amendments made in 1993 exclude from the lobbyist definition "persons whose activities are limited to appearances to give testimony or provide information or assistance at sessions of committees of the general assembly or at public hearings of state agencies or who are giving testimony or providing information or assistance at the request of public officials or employees." This eliminates the need for most faculty, staff, and administrators to register. However, those employees whose lobbying activities fall outside of this exclusion must comply with the registration requirements outlined in II-34.4.

h. Loans prohibited. A public official or state employee may not seek or accept loans from a lobbyist nor may a lobbyist offer loans to state officials or employees, unless made in the ordinary course of business.

i. Ban on certain lobbying activities. Section 68B.5A of the *Iowa Code* prohibits lobbying by executive or administrative heads or deputy or executive or administrative heads of the University for two years after service. The law also prohibits compensation of a former state employee for two years after employment ceases in connection with any matter in which the person was "directly concerned and personally participated during employment."

j. Enforcement. Civil and Criminal Penalties: Civil and criminal penalties may be imposed for violating *Iowa Code* Chapter 68B. The Ethics and Campaign Disclosure Board administers Chapter 68B and processes civil complaints. It may impose a maximum civil penalty of $2,000 for each violation, and/or recommend removal or suspension from office. A criminal conviction of the lobbying regulations of Chapter 68B is a serious misdemeanor for which a penalty of imprisonment for one year and a $1,000 fine may be imposed.

32.7 Use of University Resources

University resources, including the University's electronic address (email, web) shall not be used for 1) personal political activities, including directly or indirectly participating in, or intervening in, any political campaign on behalf or in opposition to any candidate for elective office, or for 2) lobbying of public officials. For purposes of this policy, "lobbying" does not include individual faculty or staff sharing or providing information or opinions with public officials on matters of policy within their areas of expertise. Faculty and staff consulting that is in conformity with University guidelines is permissible. Only the Office of Governmental Relations may use University resources for programs designed to inform members of the public with information about regulatory and legislative issues of importance to the University and/or to encourage public support for the University.

(BRPM 1.8.6)

II. Community Policies

Chapter 33 – Use of University Name

(President 4/9/73; amended 9/97; 11/10)

a. Definition. "Non-University endeavor" refers to any activity which is not part of or is unrelated to the fulfillment of the missions of the University.

b. The use of the University name for any purpose in any non-University endeavor not previously sanctioned by the Office of Strategic Communication is prohibited. Individuals or entities who contract with the University for goods or services are not permitted to imply an endorsement by the University of their goods or services by virtue of their contract with the University.

c. University faculty or staff may, acting in their capacities as individuals, use the name of the University for self-identification purposes before the general public, with the following exceptions:

(1) The University name may not be used by such University faculty or staff in any event, writing, broadcast, or other media presentation, advocating, or endorsing the sale of an item of commerce, be it product or service, where the University is represented as benefiting from, having an interest in, or advocating such sale.

(2) The University name may not be used by such University faculty or staff in any event, writing, broadcast, or other media presentation, where both of the following apply: 1) the context is such that the average recipient of the presentation would reasonably believe that it was the University itself rather than merely the faculty or staff member that was advocating or endorsing the sale of an item of commerce, be it product or service, and 2) the University faculty or staff member has a pecuniary interest, direct or indirect, in the product or service, or receives money or any valuable thing, any commission, percentage, discount or other payment, gift, bonus, tip, or gratuity, directly or indirectly, as a result of participating in the presentation.

d. University faculty or staff may use their name in conjunction with the name of the University for self-identification purposes in connection with products or services when they are the subject of a pending U.S. patent, a valid in-force U.S. patent, or a U.S. copyright, in which a pecuniary interest is held by the University, and which arose out of University research or scholarship, or in other manner arose out of activity connected with the University. Prior written authorization shall be required from the Vice President for Research, based on a finding that the foregoing facts regarding patent, copyright, and interest in the University apply in a given case.

Review

1. Under this policy, may University faculty, staff, and students use University letterhead and their University title when writing to their legislator or congressional representative to express an opinion or concern?

The use of University letterhead in any non-University correspondence is strictly prohibited. Personal stationery should be used for all personal correspondence, including personal correspondence with elected officials. The institutional position on legislative issues is determined by the Board of Regents in consultation with University administration. While individuals are free to correspond with elected representatives on their own time, the use of University letterhead for that purpose is potentially confusing to elected officials because it implies that the writer is speaking on behalf of the University. The use of the staff member's University title for self-identification purposes in this context is permitted, so long as the title is not used in a way that implies that the writer is expressing an institutional position or viewpoint. (See also II-18.1d(1)(a).)

2. A University employee is starting a new business selling hand-crafted furniture. He decides to develop some advertisements to help sell the furniture. So he has a photograph taken of himself sitting in a hand-crafted chair on the Pentacrest lawn in front of the Old Capitol. He uses this image in newspaper and television advertisements for his furniture. Is this permissible under the policy?

No. The sale of furniture is a "non-University endeavor." Taking a picture of the chair on University property implies an endorsement of the product by the University, which is prohibited under the policy.

II. Community Policies

Chapter 34 – Lobbying Restrictions Applicable to Public Employees and Officials

(10/94)

34.1 General

The following outlines regulations and restrictions on lobbying by public employees as imposed by Chapter 68B of the *Iowa Code*. The outline is not a substitute for the law, but is intended to guide and put University employees on notice of their responsibilities under the law.

34.2 Definitions

The following definition of lobbyist should be consulted to determine whether you are considered a lobbyist or lobbyist's client under the law.

a. A lobbyist:

(1) is an individual who receives compensation for the purpose of acting directly to affect legislation or a rule;

(2) is a designated representative of an organization which has as its purpose affecting legislation or a rule;

(3) represents a government entity for which the person serves or is employed as designated representative for the purpose of affecting legislation or a rule; or

(4) lobbies for himself or herself and expends more than $1,000 per calendar year.

b. The following individuals are not lobbyists under the law:

(1) political party officials;

(2) news media;

(3) elected government officials while performing the duties of office;

(4) persons who give testimony or provide information to the General Assembly, at public hearings of state agencies or who provide information or assistance at the request of public officials or employees (Note: this excludes most faculty, staff, and administrators from the definition of a lobbyist);

(5) agency officials and employees while engaged in activities within the agency they serve or with another agency one's agency collaborates with on projects;

(6) staff of the United States Congress or the Iowa General Assembly;

(7) persons who are members of organizations who are not paid compensation or not designated by the organization as a lobbyist; and

(8) persons who submit data, views, and arguments in a presentation to the administrative rules committee.

c. A client: a private person or a state, federal, or local government entity that pays compensation to or designates an individual to be a lobbyist.

34.3 Purpose

The law primarily imposes registration and reporting restrictions on lobbyists and their clients the purpose of which is to better regulate lobbying activities.

34.4 Registration Requirements

All lobbyists must register on or before the date their lobbying activities begin. A University employee is prohibited from lobbying on behalf of the University, unless the employee's registration includes a statement designating the employee as its representative. Executive Branch lobbyists must register with the Iowa Ethics and Campaign Board. Legislative Branch lobbyists file with the Secretary of the Senate or the Chief Clerk of the House. Legislative Branch registrations expire at the beginning of each session. Executive branch registrations expire at the end of each calendar year. Changes must be registered within ten days once known to the lobbyist. The lobbyist may cancel the registration if service concludes before the expiration.

34.5 Reporting Requirements for Lobbyists

As applied to University faculty and staff, lobbyists must report the names of clients, contributions to candidates for State Office during the months the General Assembly is not in session, contribution recipients, and the lobbyist's expenditures for direct lobbying. Legislative lobbyists must file reports not later than twenty-five days after the end of each month during the legislative session, and thereafter by July 31, October 31, and January 31. Executive Branch lobbyists must file reports by April 30, July 31, October 31, and January 31 for the preceding calendar quarter.

34.6 Reporting Requirements for Clients of Lobbyists

Clients of lobbyists must report information regarding salaries, fees, and retainers paid for lobbying during the preceding six months. Reports are due January 31 and July 31. The January 31 report must provide cumulative totals of reimbursements, salaries, fees, and retainers for the preceding year. Clients of Executive Branch lobbyists must file reports with the Iowa Ethics and Campaign Disclosure Board. Legislative Branch clients report to the Secretary of the Senate or the Chief Clerk of the House.

34.7 Registering as a Lobbyist

Amendments made in 1993 exclude from the lobbyist definition "persons whose activities are limited to appearances to give testimony or provide information or assistance at sessions of committees of the general assembly or at public hearings of state agencies or who are giving testimony or providing information or assistance at the request of public officials or employees." This eliminates the need for most faculty, staff, and administrators to register. However, those employees whose lobbying activities fall outside of this exclusion must comply with the registration requirements outlined in II-34.4.

34.8 Loans Prohibited

A public official or state employee may not seek or accept loans from a lobbyist nor may a lobbyist offer loans to state officials or employees, unless made in the ordinary course of business.

34.9 Ban on Certain Lobbying Activities

Section 68B.5A of the *Iowa Code* prohibits lobbying by executive or administrative heads or deputy or executive or administrative heads of the University for two years after service. The law also prohibits compensation of a former state employee for two years after employment ceases in connection with any matter in which the person was "directly concerned and personally participated during employment."

34.10 Enforcement

Civil and Criminal Penalties: Civil and criminal penalties may be imposed for violating *Iowa Code* Chapter 68B. The Ethics and Campaign Disclosure Board administers Chapter 68B and processes civil complaints. It may impose a maximum civil penalty of $2,000 for each violation, and/or recommend removal or suspension from office. A criminal conviction of the lobbying regulations of Chapter 68B is a serious misdemeanor for which a penalty of imprisonment for one year and a $1,000 fine may be imposed.

(See IC 68B.)

II. Community Policies

Chapter 35 – Prohibition on Giving and Receiving Gifts
(10/94; 5/99)

35.1 General Policy

The following outlines the "gift law," Chapter 68B of the *Iowa Code*, as it relates to University of Iowa employees. The outline is not a substitute for the law, but is intended to guide and put University employees on notice of their responsibilities under the law. The law prohibits public officials, public employees, candidates for public office, and members of their immediate families from soliciting or accepting gifts from a "restricted donor." A transaction is prohibited if all three of the following conditions exist:

a. the recipient (donee) is a public employee, a public official or one's immediate family member (defined as spouse or dependent child);

b. the recipient receives a "gift" as defined by the law; and

c. the donor (person giving the gift) is a "restricted donor."

35.2 Definitions
(Amended 5/99)

Under the law, the following definitions apply:

a. "Public employee" means "state employee," so all University faculty and staff are included. "Public official" includes legislators, members of state boards with policy making powers, and "heads of the major subunits of departments or independent state agencies whose positions involve a substantial exercise of administrative discretion or the expenditure of public funds." The "public official" definition includes institutional officers (Presidents and Vice Presidents), members of the Board of Regents, and certain Board staff.

b. A "gift " is anything of value which is received when something of equal value is not given in return. Exclusions include:

(1) contributions to candidates;

(2) informational material relevant to a public official or public employee's official functions;

(3) an inheritance;

(4) items received from organizations by dues-paying members if given to all members of the organization;

(5) items free of charge to the public;

(6) anything from a relative (to the fourth degree) unless the donor is acting as an agent;

(7) expenses for participating in a panel or a speaking engagement when the expenses relate to the days one has participation or presentation responsibilities;

(8) plaques or items of negligible value;

(9) non-monetary items worth $3.00 or less received in one calendar day;

(10) certain items and services solicited for state, national, or regional organization meetings;

(11) certain items or services given at events, business, or educational meetings sponsored by governmental organizations if the governmental organization is a member of the sponsoring organization (e.g., reports of the Department of Education distributed at a meeting sponsored by the Department of Education);

(12) funeral flowers and memorial donations;

(13) wedding, twenty-fifth and fiftieth anniversary gifts;

(14) payment of salary or expenses by an employer for attending requisite meetings of a board, commission, committee, council, or other subunit of an agency on which the employee serves and is not entitled to compensation or expenses from the state for attending;

(15) expenses when specific guidelines are met for representing an agency in a delegation whose sole purpose is to attract new business;

(16) gifts other than food, beverages, travel, and lodging from a foreign citizen given during a ceremonial presentation or as a custom; and

(17) registration costs for informational meetings that assist in the person's official functions. Food, beverage, lodging, and travel are not "registration costs." This does not include sessions for personal or professional licensing.

c. "Restricted Donor" means any of the following:

(1) a party to, or a person seeking to be a party to, a sale, purchase, lease, or contract with a public agency in which the recipient is employed or is an office holder;

(2) someone, or an agent of someone, who will personally be directly and substantially affected financially by the performance of the recipient's official duty in a way greater than the public or a class of persons;

(3) someone, or an agent of someone, who is personally the subject of or a party to a pending matter before a regulatory agency over which the recipient has discretionary authority; or

(4) a lobbyist or a client of a lobbyist within matters subject to the recipient's jurisdiction. (See II-34 Lobbying Restrictions for the complete definitions of "lobbyist" and "client" under *Iowa Code* 68B.)

d. "Immediate Family Member" means spouse or dependent child. In its administration of the gift law, the University includes domestic partners.

35.3 Honoraria

Honoraria, from a restricted donor, are banned unless for: 1) directly related expenses paid in return for participation in a panel or a speaking engagement (e.g., travel expenses to the engagement); 2) services rendered as part of one's private business, trade, or profession; or 3) when donated within thirty days to an educational or charitable organization or other public body. Note that faculty and staff should consult III-17.13, III-17.15, III-17.17, and II-18 as the University's policies on conflicts of interest may restrict faculty and staff from accepting payments.

35.4 Application

A public employee, official, or a member of the public employee's immediate family who receives something of value from a restricted donor, and an exclusion does not apply, has received a "gift" and gifts are banned. A prohibited gift may be accepted if donated within thirty days to a public body, the Department of General Services, or an educational or charitable organization. Questions about *Iowa Code* 68B, its application, or provisions, should be addressed to the Office of the General Counsel, 120 Jessup Hall.

35.5 Enforcement

Civil and Criminal Penalties: Civil and criminal penalties may be imposed for violating Chapter 68B. The Ethics and Campaign Disclosure Board administers *Iowa Code* 68B and processes civil complaints. It may impose a maximum civil penalty of $2,000 for each violation and/or recommend removal or suspension from office. A criminal conviction of a Chapter 68B violation is a serious misdemeanor for which a penalty of imprisonment for one year and a $1,000 fine may be imposed.

(See also II-34 Lobbying Restrictions Applicable to Public Employees and Officials; II-18 Conflicts of Commitment and Interest.)

(IC 68B)

II. Community Policies

Chapter 36 – Social Security Numbers

(10/06; 1/09; 7/16)

36.1 Introduction

This policy governs the use of social security numbers (SSNs) at The University of Iowa and recognizes the use of the University ID (Univ ID) as the primary identification number for students and employees and any person with a recurring business relationship with the University. The University is committed to maintaining the privacy and confidentiality of an individual's SSN. Therefore, the use of the SSN as an identification number within the University shall be limited.

The Federal Privacy Act of 1974 and related amendments establish guidelines regarding state agency requests for the social security number. It is the duty of the University to inform individuals whether a given use of SSN is mandatory, the law or statute that specifies its necessity, its principal purpose(s), routine use, and the effects of not providing it. This policy provides guidelines on the proper use and disclosure of SSNs to ensure that those requirements are met.

36.2 Objectives

a. Eliminate use of the SSN as a publicly visible identification number for University-related business transactions.

b. Increase awareness of the confidential nature of the social security number.

c. Reduce reliance upon the SSN for identification purposes.

d. Ensure consistent treatment of SSNs throughout the University.

e. Increase the confidence of faculty, staff, and students that SSNs are handled in an appropriate manner.

36.3 Policy

(Amended 7/16)

a. Except where it is legally necessary or where a business necessity exists to collect a social security number, individuals will not be required to provide their SSN, verbally or in writing, at any point of service, nor will they be denied access to those services should they refuse to provide an SSN. Individuals may volunteer their SSN if they wish, as an alternate means of locating an institutional record.

b. Grades and other student-related personal information will not be publicly published, posted, or displayed in a manner where either the SSN or Univ ID, or any portion thereof, identifies the individual associated with the information.

c. The University will take reasonable precautions to protect the privacy of the SSN for all individuals who provide it, but the SSN must be available to University employees when required to complete the business of the University.

    (1) Social security numbers will continue to be stored as a confidential attribute associated with an individual, where required as part of the institutional record.

    (2) University units are responsible for protecting the confidentiality of data and information that may relate to students, patients, employees, and others served by the University community. Access to this information by University staff will be as required by job function and business necessity. Persons with such access will be required to sign a confidentiality agreement.

    (3) Access to this information by non-University persons and entities will be governed by contractual agreements.

d. Social security numbers will be transmitted outside the University only as required, and only through secure communication mechanisms.[1] SSNs will be released by the University to entities outside the University only:

    (1) as allowed by law;

    (2) when permission is granted by the individual;

    (3) when legal counsel has approved the release; or

    (4) when the external entity is acting as the University's contractor or agent and adequate security measures are in place to prevent unauthorized dissemination to third parties.

e. Paper documents and digital files containing SSNs will be stored securely; i.e., logical and physical security controls must be implemented to maintain the confidentiality and privacy of SSNs.

f. Paper documents and digital files containing SSNs must be disposed of in a secure fashion, such as shredding documents and securely wiping digital storage. When SSN data is no longer needed, it should be permanently removed from digital files.

g. Social security numbers will not be used as a primary identifier in databases. Other identifiers, such as Univ ID or an application-specific identifier, should be used in place of the SSN. Research studies that utilize SSNs in databases are recommended to replace the SSN with a numeric identifier, and maintain a logically and physically separate cross-walk of identifier to SSN, so that the SSN is never stored with other personally identifiable information.

h. University applications with a requirement to utilize SSNs are strongly advised to be integrated with the University Vault system, which is the recommended method to securely store SSNs. Applications that cannot be integrated with the Vault must be registered with the Information Security and Policy Office in order to be closely monitored. (For Vault integration information, contact its-helpdesk@uiowa.edu.)

i. Principles guiding the collection of SSNs include the following. All University forms and documents that collect SSNs will use such language to indicate whether the request is mandatory or voluntary.

    (1) Applicants. The University will use SSNs to verify applicants' identity for record-keeping purposes and to help match transcripts and other materials with admission applications. In addition, the Office of Student Financial Aid will need to match applicants' admission status for any financial aid. The SSN will not be used as a student ID number. The SSN will not be displayed on official printed records.

(2) Students. Federal law requires students to use their SSN to apply for and receive financial aid. Federal law also requires that the University obtain and report to the Internal Revenue Service (IRS) the SSN for any person to whom compensation or financial aid is paid. The University also is required by federal law to report to the IRS the name, address, and SSN of any person from whom tuition and related expenses are received. The University will not disclose SSNs except where allowed by the Family Education Rights and Privacy Act (FERPA).

(3) Faculty and staff. The University is required by federal law to report income along with SSN for all persons to whom compensation is paid. Employee SSNs are maintained and used by the University for payroll, reporting, and benefits purposes and are reported to federal and state agencies in formats required by law or required for benefits purposes. The University will not disclose an SSN for any purpose not consistent with applicable law.

(4) Research subjects. Subjects will be asked to provide basic information including name, mailing address, and SSN. This information allows the University to meet government reporting obligations. Subjects may be given the opportunity to waive receipt of payments should they decline to provide identifying information. The University of Iowa Institutional Review Board requires this notification in the language of the consent form.

(5) Other. Clinical and patient systems within The University of Iowa may be required to use the SSN for billing and health care coordination purposes. When the SSN identifies protected health information, its use also is regulated by the Health Insurance Portability and Accountability Act of 1996 (HIPAA).

Footnote

1. Secure mechanism: transferred via a secure network isolated inside a physically secured campus facility, such as an Enterprise Data Center, transferred via a secure communication protocol, or encryption of the data prior to the transfer.

36.4 User Responsibilities

(Amended 7/16)

a. All departments are expected to eliminate storage of SSNs in local databases, desktops, and laptop computers. Departments or individuals that have a business requirement to maintain SSNs must comply with all applicable University information security policies and associated security practices as described in University Security Standards. Any University employee storing SSN information on a computer that does not meet the requirements of this policy may be subject to disciplinary action consistent with II-19.5 Acceptable Use of Information Technology Resources: Administration and Enforcement.

b. All University computer systems, including local servers, desktops, laptops, or other storage devices, are subject to periodic assessment by the Information Security and Policy Office to ensure appropriate protections are in place.

36.5 Unauthorized Use of Social Security Numbers

(Amended 7/16)

An individual who discovers or strongly suspects the unauthorized release of SSNs or related confidential information, or a violation of this policy, is encouraged to notify his or her management and the Information Security and Policy Office at it-security@uiowa.edu or 319-335-6332. An individual making such notification is protected by II-11 Anti-Retaliation.

36.6 Related Policies

(Amended 7/16)

a. II-19 Acceptable Use of Information Technology Resources

b. University Security Standards

c. University IT Policy

II. Community Policies

Chapter 37 – Filming on Campus

(8/15)

37.1 Rationale

Commercial filming by non-University entities can pose risks to the people, programs, and property of The University of Iowa. To mitigate those risks, the University has established rules and procedures about commercial filming.

37.2 Policy

The University of Iowa requires explicit written permission for all film, photo, and video shooting on University property done for commercial purposes. The Office of Strategic Communication (OSC) is the designated office for receiving requests to film, coordinating their evaluation, granting or denying approval, and coordinating University support for approved activities.

37.3 Definitions

“Filming” for purposes of this policy means all film, photo, and video shooting on University property done for commercial purposes by individuals or organizations who are not employed by or agents of The University of Iowa.

“Campus” means all real estate under the control of The University of Iowa, regardless of location.

37.4 Exceptions

This policy does not cover filming for the following purposes:

a. Journalism: filming for legitimate news-gathering purposes by the news media

b. Personal use: filming for personal, noncommercial use

c. Academic use: filming by students and faculty for academic purposes, including research, creative or scholarly work, or teaching and learning

Nevertheless, filming for these purposes may be subject to reasonable and appropriate restrictions imposed by the University for legitimate reasons, such as to preserve safety or maintain public order, to protect personal privacy, to avoid disruption to the University’s academic activities and official business, to comply with state or federal law, or to honor contractual obligations to a speaker or performing artist.

37.5 Requirements

a. Filming will not be allowed at times and in places where it would be disruptive to the academic process, student life, and/or patient care. As a matter of general practice, the University does not allow commercial filming during final exam periods; in residence halls, dining facilities, libraries, and clinical care settings; or in places where public access is restricted for reasons of safety and security.

b. The University’s name, marks, indicia, signature colors and images, prominent individuals and locations, and athletic uniforms may not be filmed without express written permission.

c. Those requesting permission to film must submit the final script, treatment, storyboards, or similar materials describing the project in detail for prior approval by the University. The film as finally produced and distributed must be consistent in all material respects with the script, treatment, storyboards, or similar materials on which the University based its decision.

d. The University reserves the right to restrict filming of a lecture, concert, theatrical production, or similar event under the terms of a contract with the speaker or artist.

e. The University has the right to deny filming requests if, in its sole judgment, the project conflicts with the mission and values of the University, portrays students or faculty in a negative manner, or is derogatory to higher education. Examples of subject matter that may be rejected are excessive violence, abuse of alcohol and drugs, nudity, racism, sexism, and obscenity.

f. Permission to film does not constitute implied or explicit endorsement of the film or its content.

g. The University may require filmers to reimburse it for services rendered in connection with filming, such as parking, security, food service, and staff time. The Office of Strategic Communication will establish these costs at the time of approval.

(1) The University cannot guarantee that on-campus parking will be available.

(2) Production vehicles and staff are allowed to park only in the areas agreed upon prior to filming.

(3) Vehicles cannot obstruct city streets or University traffic. If filmers anticipate traffic patterns must be altered for filming, they must notify the University before filming begins.

(4) The production company is required to disclose loading and unloading needs so that the University can approve a schedule prior to filming.

(5) No vehicles can be placed on University grounds without prior approval from the University.

h. The University will require filmers to provide a certificate of insurance for Workers' Compensation, automobile, and general liability. The required insurance limits may vary depending on the scope of the project. The certificate must specify The University of Iowa and the Board of Regents, State of Iowa, as named insureds.

i. The University reserves the right to revoke permission to film on its property at any time, without recourse, if in its judgment the filming is in conflict with the terms and intent of this policy.

j. The production company must create and place signs around location to advise guests, visitors, students, and employees in advance that they may be photographed, filmed, or otherwise appear on camera.

k. The University reserves the right to eject any crew members or persons in any way connected with the production company for displaying behavior that is deemed disruptive to the operation of the University. Such instances include being offensive in language or behavior to students, faculty, staff, administrators, or University guests.

l. Unless the production company has obtained prior written approval, they will not be permitted to identify The University of Iowa as the fictitious location either directly or indirectly.

m. The University may assign staff to oversee the film crew's activities on campus. Those staff will have full discretion to enforce any and all aspects of this policy in the manner they deem appropriate.

n. Modifications and instructions:

(1) Filmers may not remove University-owned objects on location without prior approval from the University.

(2) Filmers many not drill, nail, glue, or alter any campus property without prior permission from The University of Iowa.

(3) If permission is granted, the production company is responsible for returning modified property to its original state unless other agreements have been made with the University.

(4) All temporary construction must be conducted in a manner that does not damage University property or endanger faculty, staff, students, or visitors.

(5) The production company must obtain prior approval from the University before constructing any building facades or other set materials that could obstruct fire lanes or affect the safety of pedestrians or building occupants.

o. Electrical needs:

(1) All electrical needs must be presented to the University in advance of the project. The University will decide on proper placement of generators on location.

(2) If electricians or alterations are required, the University may charge appropriate fees.

III. Human Resources

Chapter 1 – Classification of University Staff

1.1 Exempt and Merit Staff

Under state law, the University has three broad groupings of staff:

a. Exempt Staff. Staff who are exempt from the Regents Merit System, Iowa Code 8A.412(5) include: all presidents, deans, directors, teachers, professional and scientific personnel, and student employees under the jurisdiction of the Board of Regents, State of Iowa.

b. Regents Merit System Staff. Staff to whom the Regents Merit System applies, which includes all staff not listed in paragraph a.

c. Merit Supervisory Exempt/Confidential Staff. Certain merit staff classifications — merit supervisory exempt and select merit staff positions (confidential) — are exempted from contract coverage under the Iowa Public Employment Relations Act. These staff members are governed by the Board of Regents Merit rules, and these staff members are not represented by a collective bargaining agency.

1.2 Classification of University Staff

a. Classifications. For personnel purposes, there are four classifications of University employees: faculty, professional and scientific staff, bargaining eligible merit system staff, and merit supervisory exempt/confidential staff.

b. Fair Labor Standards Act. Faculty and professional and scientific staff are generally exempt from the provisions of the Fair Labor Standards Act. Merit System staff are covered under the minimum wage, overtime, record keeping, and other provisions of the law.

III. Human Resources

Chapter 2 – Merit System
(Amended 11/04; 7/1/17)

2.1 Regulations
(Amended 7/1/17)

Iowa Administrative Code, Chapter 3, Personnel Administration, contains the rules governing the Regents merit system. For staff grievances the University has elected to use the procedure found in the *Iowa Administrative Code*, Chapter 12, [681]12.9(262) in appropriate cases rather than rule [681]3.129(8A).

2.2 Merit System Staff

Job descriptions are written for all merit system positions pertaining to job responsibilities, minimum qualifications, and pay schedules. The basic work week is forty hours. The departmental executive makes the selection of personnel for such positions subject to approval by the resident director of the merit system. The requirements of III-9.4 Affirmative Action Employment Guidelines must be met.

(See also III-3.2 Performance Review for University Staff.)

2.3 Reviews of Position Classification
(Amended 11/04)

a. Reviews of position classification. Permanent employees and department heads may request a position classification review and such requests shall be in written form. The department head will forward the employee's request with a recommendation from the department head within ten working days of date of the request to the resident director. The resident director shall review the employee's and department head's request and with a recommendation forward the request to the merit system director within 20 working days. The merit system director shall review and respond within 20 working days to the resident director who will inform the employee and department head. If the employee or department head is not satisfied with the merit system director's decision, that person may appeal the decision in writing within 15 working days of the merit system director's decision to a qualified classification appeal committee appointed in accordance with the procedures approved by the Board of Regents.

b. The classification appeal committee will conduct such investigation as it deems necessary to determine the proper allocation of the position, and will notify the involved parties of its decision within 45 calendar days after the committee receives the appeal. Any further requests for review of the same position must be presented to the resident director in compliance with this rule and will be considered a new classification review. A new classification review will not be allowed for one year following the final decision on a request for review unless there have been substantial changes in the duties and responsibilities of the position. An appeal will be considered on the basis of duties and responsibilities assigned at the time of the original classification review, and in no case will the assignment of additional duties and responsibilities following the resident director's investigation of the original request for review be considered during the process of appeal as outlined above.

(See also IAC [681]3.127(8A).)

2.4 Appeals on Application, Examination, and Certification Procedures
(Amended 11/04)

a. Appeals on application, examination, and certification procedures. Applicants may appeal an action which they allege to be in violation of these rules concerning applications, examinations, or certifications. The aggrieved applicant will first discuss the matter with the resident director and, if not satisfied with the explanation and decision given, may within twenty days after the occurrence of the alleged violation file a written appeal with the resident director at Step 3 of the grievance procedure provided in *Iowa Administrative Code* [681]3.129(8A), or at a comparable step of a procedure approved under [681]3.129(1). If the applicant is not satisfied with the decision rendered at that step the applicant may pursue the appeal in accordance with the grievance procedure. If the grievance concerns the form or content of the application or an examination as approved by the merit system director, the director will act jointly with the resident director and at subsequent steps in response to an appeal.

b. Appeals by applicants alleging improper discrimination on the basis of political or religious opinions or affiliations, or national origin, race, sex, disability, or age in selection, will be filed at Step 3 in the grievance procedure provided in *Iowa Administrative Code* [681]3.129(8A) or at a comparable step of a procedure approved under [681]3.129(1).

c. This rule is intended to implement *Iowa Code* sections 8A.402, 8A.412, and 8A.416.

III. Human Resources

Chapter 3 – Professional and Scientific Staff

3.1 The Relationship of Professional and Scientific Staff Members to the University of Iowa

(Amended 9/93; 10/94; 12/94; 9/1/98; 7/1/99; 5/00; 3/02; 9/02; 5/04; 11/04; 8/05; 4/06; 7/06; 12/06; 7/08; 4/09; 11/09; 12/10; 5/11; 6/11; 8/11; 10/31/11; 7/12; 8/12; 6/13; 2/15; 7/1/17)

a. Staff members covered: professional and scientific staff members employed in that capacity for 50 percent or more of their time, excluding staff nurses and allied health professionals whose terms of employment are established in the *UI Health Care Employee Manual* (available through The Point or from a local Human Resource Representative). Each staff member covered by this policy is appointed to one of the following five categories and provided specific written notice of the category at the time of appointment: 1) career status, 2) probationary status, 3) at-will status, 4) term status, 5) temporary status. A list of all P&S classifications, including the pay level/structure, career status eligibility, and probationary periods determined for each classification, is available through the Compensation and Classification website, Human Resources website, and collegiate and division offices.

b. Career status.

(1) Probationary staff members earn career status upon completion of continuous and satisfactory performance in a position during the probationary period established for that staff member in the position.

(2) In an action of dismissal for cause relating to the staff member's lack of satisfactory performance or University-related conduct, career status will carry with it the right to place the burden of proof on the University in an appeal through the professional and scientific grievance procedure.

(3) Persons with appropriate experience may be appointed initially with career status if that status is requested in writing and recommended to the Chief Human Resources Officer by each University official or designee recommending the appointment (e.g., DEO, dean, or vice president or provost).

(4) A staff member who has previously held career status in a University position and who is appointed to a new position with career status will be given a new career status date which coincides with the date of the new appointment. In some cases, the Chief Human Resources Officer, based upon the written request of the appointing department and the other administrative officers who recommend the appointment (e.g., dean or vice president or provost), may approve retention of the original career status date.

c. Probationary status.

(1) Probationary status is that time during which a staff member's performance is evaluated to determine whether the staff member is demonstrating the capacity for continued performance at a level necessary to meet the department or unit's standards set for the position.

(2) The probationary period for P&S classifications is 24 months, with the exception of Librarian, which is 36 months. The length of the probationary period for a staff member shall be the period designated for the class except as provided in paragraph b(3) above and paragraphs d and h below. In addition, when requested by the appointing department, the Chief Human Resources Officer can authorize the decrease in the probationary period on the basis of demonstrated and appropriate experience.

(3) If a staff member takes a leave of absence without pay during his or her probationary period, the time of the leave of absence does not count towards filling the probationary period requirement.

(4) During the probationary period, staff members will be provided with a written statement evaluating their performance at least annually. (See III-3.2 Performance Review for University Staff.)

(5) A probationary period cannot be extended beyond the original ending date without the concurrence of the staff member and of those offices which acted on the original appointment. A request by a unit to extend the probationary period of an employee must be in writing and must be countersigned by the staff member. It should be submitted to the Chief Human Resources Officer far enough in advance of the expiration of the original probationary period to permit 30 days for the Chief Human Resources Officer to review the request.

(6) Probationary staff members may be terminated at any time during the probationary period. The staff member will be informed of the reason for termination.

(7) If a probationary staff member believes that his or her termination was improper, that staff member can appeal the termination through administrative review (see III-28.2 Administrative Review).

d. Probation upon appointment to a new position.

(1) Professional and scientific staff members with career status, who change positions and assume duties in a position covered by this policy, will serve a 1-year probationary period culminating in career status upon successful completion of the probationary period, and a new career status date, except as provided in paragraph b(3) above.

If the P&S staff member satisfactorily completes the probation period, the Chief Human Resources Officer, based upon the written request of the appointing department, may approve retention of the original career status date.

Regents Merit System staff members with permanent status and at least 4 years of service will serve a 1-year probationary period culminating in career status upon successful completion of the probationary period, except as provided in paragraph b(3).

(2) Career status staff members and persons with permanent status under the Regents Merit System referred to in paragraph d(1) above who do not achieve career status in the new position will be considered to have been permanently furloughed from their prior position and have the priority status rights specified in paragraph i below. Such staff members who are terminated during the probationary period for reasons other than cause relating to the staff member's performance or University-related conduct will be covered by the notice provisions of paragraph h(1) below. Such staff members who are terminated for cause related to the staff member's lack of satisfactory performance or University-related misconduct are not covered by paragraph h(1) notice requirements.

(3) A staff member who is appointed to a new position while in probationary status ordinarily will start probationary status anew. With the concurrence of those who recommend the appointment (DEO, dean, or vice president or provost), an appointing department may request the Chief Human Resources Officer to count prior probationary service toward completion of the probationary period in the new position. A minimum of one year of probationary service is required, except as provided in

paragraph b(3).

(4) A staff member who is promoted or otherwise changes classifications while remaining in his or her current position (career shift) will retain career status in the new classification with no change of career status date provided the classification carries career status. A staff member in probationary status when any classification change is effective shall receive credit for the time already served in probationary status toward completion of any remaining probationary period. A Regents Merit System staff member with permanent status and at least 4 years of service, whose position is reclassified to a position that carries career status, will serve 1 year in probationary status before becoming eligible for career status, except as provided in III-3.1 b(3) and c(2) above.

(5) A staff member with career status who is permanently furloughed will not lose career status or his or her original career status date if reappointed to the same classification during the furlough period, unless the duties of the new position are substantially different, in which case the employee may be required to serve a 1-year probationary period. If the employee successfully completes the probationary period, the original career status date will be retained. If the furloughed staff member is reappointed to a different job classification in the same or a lower pay level in the same job family, the staff member ordinarily will be reappointed with career status and retain the original career status date, unless the duties of the new position are substantially different, in which case the employee may be required to serve a probationary period of no more than 1 year before returning to career status and a new career status date. If the employee satisfactorily completes the probation period for the new position, the Chief Human Resources Officer, based upon the written request of the appointing department, may approve retention of the original career status date.

e. At-will status.
(Amended 8/11)

(1) At-will status applies to a staff member whose administrative, policy-making, leadership, or other responsibilities make it inappropriate to confer career status in the position. At-will status also applies to a staff member who holds a temporary appointment as described in paragraph g below.

(2) Staff members in classifications at pay level 6 and above will be considered at-will for purposes of this policy and University employment.

(a) Staff members in classifications at or below pay level 5 may be considered at-will if their administrative, policy-making, or leadership responsibilities, or performance with respect to their key areas of responsibility, could significantly impact the functioning or productivity of a department, program, and/or institution. To obtain approval to designate at-will status for a position in a classification at or below pay level 5, the dean or director of an administrative unit or designee must request at-will status in writing prior to beginning recruitment for the specific position in question. The request must be submitted to, and approved by, the Chief Human Resources Officer. At the time of appointment and prior to the individual beginning employment, the hiring unit shall incorporate a paragraph into the offer letter informing the staff member that the appointment is in at-will status.

(b) Similar to paragraph (a) above and prior to the beginning the recruitment process, the dean or director of an administrative unit may request that a specific position at level 6 and above with at-will status be determined eligible for career status. Such a request for career status must be compelling based on the key areas of responsibility of the vacant position. The Chief Human Resources Officer will render a final decision on any exceptions to at-will status. At the time of appointment and prior to the individual beginning employment, the hiring unit shall incorporate a paragraph into the offer letter informing the staff member that the appointment is eligible for career status.

(3) Staff members who are appointed at-will may be terminated at any time unless as specified in paragraph h(2) below.

f. Term status. Staff members may be appointed to term status for a specific period of time not to exceed 3 years in order to accomplish a specific purpose or when the duration of funding is limited or unknown.

(1) Reappointments to term status may be made, provided that the total period in term status does not exceed 6 years. However, a staff member who voluntarily leaves University employment before the end of a term appointment may be appointed to 6 additional years in term status.

(a) A staff member who completes 6 years in term status will be granted career status even if the position has been reclassified during the period in term status.

(b) A staff member who has achieved career status after having served 6 years in any combination of term-status professional and scientific positions, who is chosen to fill a position not previously held, may serve a probationary period in the new position of not more than 1 year prior to becoming eligible for career status, and be given a new career status date. If the employee satisfactorily completes the probation period, the Chief Human Resources Officer, based upon the written request of the appointing department, may approve retention of the original career status date.

(c) Transfers from term status. In appropriate circumstances, staff members in term status may be transferred to probationary status. With the concurrence of those administrative offices who recommend the appointment (DEO, dean, or vice president or provost), units may request the Chief Human Resources Officer to count a period of service in term status as probationary service. A minimum of 1 year of probationary service will be required before career status can be earned, except as provided in paragraph b(3) above.

(2) The nature and duration of such term appointments may be limited by contract. In the absence of special contract terms, term appointees may complete their terms unless they fail to demonstrate continued performance at a level necessary to meet the department's standards for the position.

(3) Employees in term status who are terminated for reasons other than causes relating to the staff member's lack of satisfactory performance or University-related conduct (e.g., funding, reorganization in the project, department, college, or University) will receive notice in accordance with the following schedule:

(a) One month's notice during the first year of term employment. (Unless an employee is released mid-term, the term appointment will serve as notice.)

(b) Three months' notice thereafter. (Unless an employee is released mid-term, the term appointment will serve as notice.)

(i) If a term employee has worked for The University of Iowa for 2 years or more, he or she will be offered an interview for positions applied for within the same job family, at the current pay level or below, during the furlough notice period and for 12 months following termination. University Human Resources will notify the college/division when they are required to interview a furloughed term status applicant with more than 2 years of service. In order to be interviewed under this provision, furloughed term status applicants must indicate their interest in a vacancy on Jobs@UIOWA. The appointing department will not be required to interview more than five furloughed term status applicants under this process for any given recruitment. Departments will not be required to provide separate justification for the non-selection of the term employee(s) when following the approved Office of Equal Opportunity and Diversity selection process.

(ii) Furloughed term status applicants must be available to interview within 3 business days of being contacted by the interviewing department. Departments are responsible for making a good faith effort to contact the furloughed term status applicant for an interview. Departments unable to

contact the furloughed term status applicant, prior to submission of the Pre-Interview Audit-Report to the Office of Equal Opportunity and Diversity, will be required to list the staff member on the report and note their attempts to contact the furloughed term status applicant for an interview.

(iii) If a college/division does not believe the furloughed term status applicant is qualified for the position he or she applied for, the college/division may petition Compensation and Classification, through the Senior Human Resource Leader, for an interview waiver. The interview waiver will be approved if the furloughed term status applicant does not meet the advertised requirements, or if he or she has applied for a similar position in which he or she did not previously meet the advertised requirements. In the latter case, additional skill sets and/or knowledge attained by the furloughed term status applicant pertinent to the position will be taken into consideration. In consultation with the Senior Human Resources Leader, University Human Resources will make a final determination if the furloughed term status applicant meets the requirements for the position.

(4) In an appeal from a termination during the term of an appointment, the burden of proof shall be on the staff member. No right of reappointment shall be implied by an initial appointment. As a consequence, the notice provisions of paragraph h(1) below do not apply at the end of a term appointment.

g. Temporary status. A staff member may serve in temporary status in a continuous appointment of not more than 1 year to meet an emergency or temporary need of the University. Temporary appointments of less than 50 percent (1040 hours) will not be subject to the 1-year appointment limitation. Staff members in temporary status serve "at will."

(1) If during the term of the 50 percent (1040 hours) or greater temporary appointment the department anticipates the position extending beyond 1 year, then an affirmative action search must be completed as soon as possible and no later than within 1 year of the start of the initial temporary appointment. An affirmative action search also must be completed in the event that a temporary appointment of less than 50 percent (1040 hours) is increased to 50 percent (1040 hours) or more time and is expected to extend beyond the initial 1-year temporary appointment. Exceptions include appointment in classifications experiencing a labor shortage.

(2) Limited extensions of temporary appointments of 50 percent or more time beyond 1 year are permitted in extenuating circumstances with the prior approval of the Office of Equal Opportunity and Diversity.

(3) Temporary appointments held by retirees are subject to the standards outlined above, with the exception of those classifications designated on an annual basis by Compensation and Classification to be experiencing a labor shortage.

(4) The Office of Equal Opportunity and Diversity establishes search procedures for affirmative action searches. Contact the Office of Equal Opportunity and Diversity, 202 Jessup Hall, for more information about search procedures.

h. Terminations for other than cause.

(1) Staff members in probationary or term status who are terminated prior to the end of the probationary period or term for reasons other than causes relating to the staff member's lack of satisfactory performance or University-related conduct (e.g., funding, reorganization in the project, department, college, or University) will receive notice in accordance with the following schedule:

(a) One month's notice during the first year of employment;

(b) Three months' notice thereafter.

The notice provisions of this subsection will not apply if the Senior Vice President for Finance and Operations determines that notice of such duration would seriously impair the financial integrity of a major administrative unit (college or division) of the University.

(2) At-will employees who are terminated for reasons other than causes relating to performance or University-related conduct shall receive the same notice period described above. The notice provisions of this subsection will not apply if the Senior Vice President for Finance and Operations determines that notice of such duration would seriously impair the financial integrity of a major administrative unit of the University.

(3) Staff members in career status will receive the following notice if permanently furloughed for reasons stated in paragraph i(1) below:

(a) Six months if furloughed during the first 4 years of current career status;

(b) Nine months if furloughed during the next 4 years of current career status;

(c) Twelve months if furloughed thereafter.

The notice provisions of this subsection will not apply if the Senior Vice President for Finance and Operations determines that notice of such duration would seriously impair the financial integrity of a major administrative unit of the University.

(4) The application of the notice provisions of this subsection will be based upon the individual's status (as probationary, term, at-will, or career) and length of service at the time the notice is given to the staff member. If this notice is late, extended, or a new notice is issued, the application of these provisions will be based upon the status and length of service when the extension or new notice is issued.

i. Permanent furloughs.

(1) "Permanent furlough" means termination of employment, or an involuntary reduction in time accompanied by a proportionate reduction in salary.

(2) If qualified, staff members in career status who have received notice of a permanent furlough or who are permanently furloughed will have priority status with regard to vacant regular professional and scientific positions at The University of Iowa. The procedures established in paragraphs (a) and (b) below will be followed:

(a) Prior to filling any such position which is in a pay level no higher than the pay level of the position from which the furloughed career status applicant was permanently furloughed, the furloughed career status applicant will have the right of first consideration for the position. The Chief Human Resources Officer or designee will notify the college/division when an eligible furloughed career status applicant exercises priority consideration and the search process for the position will be halted.

All furloughed applicants eligible for paragraph i(2) priority status will be given an equal opportunity to be considered for such position. The furloughed career status applicant shall be interviewed by the department, utilizing the search committee that was established when the position was announced. Once the search process has been halted, it may not be resumed until approval to proceed has been received from the Chief Human Resources Officer or designee. If a furloughed career status applicant applies for a vacant regular professional and scientific position that is at his or her current pay level or below and does not invoke furlough priority status at the time of application, the furloughed career status applicant will not be eligible to invoke furlough priority status for the

vacant position.

Senior Human Resource Leaders may request an applicant pool be opened if the furloughed career status applicant is not available for interview within 3 business days following notice of their priority from University Human Resources. Departments are responsible for making a good faith effort to contact the furloughed career status applicant for an interview within the 3-day period. Departments unable to contact the furloughed career status applicant, prior to submission of the Pre-Interview Audit-Report of the Office of Equal Opportunity and Diversity, will be required to list the furloughed career status applicant on the report, but the furloughed career applicant will no longer have priority consideration.

(b) Furlough rights will exist during the notice period and for one year from the end of the furlough notification period unless during that period the furloughed career status applicant accepts a regular or term position or fails to accept appointment to a comparable position for which he or she qualifies. If a furloughed career status applicant does not accept a comparable position, the Chief Human Resources Officer or designee will determine if furlough rights will be preserved.

(c) Colleges, major administrative units, or departments are required to forward letters of permanent furlough notification to the Chief Human Resources Officer or designee. Position elimination notification letters for at-will, probationary, or temporary employees also should be forwarded to the Chief Human Resources Officer.

(d) Organizations/divisions may request to disqualify a furloughed career status applicant or request a waiver of the interview process if the furloughed career status applicant does not meet the advertised requirements of the position or has applied for a similar position in which they did not previously meet the advertised position requirements.

(i) Organizations/divisions may appeal to University Human Resources to request an interview waiver for a furlough career status applicant who does not meet the advertised requirements of the position. University Human Resources will communicate the waiver request to the furloughed career status applicant within 1 business day of receiving the request, and the furloughed career status applicant will have 2 business days after receiving the information from University Human Resources to respond. In consultation with the Senior Human Resources Leader, University Human Resources will make a final determination if the furloughed career status applicant meets the requirements for the position.

(ii) Organizations/divisions may appeal to University Human Resources to disqualify a furloughed career status applicant using a previous disqualification rationale if the position applied for is the same or very similar to a previous position for which they applied. University Human Resources will communicate the disqualification request to the furloughed career status applicant within 1 business day of receiving the request, and the furloughed career status applicant will have 2 business days after receiving the information from University Human Resources to respond. Additional skill sets and/or knowledge will be taken into consideration. In consultation with the Senior Human Resources Leader, University Human Resources will make a final determination if the furloughed career status applicant meets the requirements of the position.

j. Furlough lump-sum payment option.

(1) When a department determines that a permanent furlough notice needs to be provided to an employee, the department may offer the furlough lump sum payment option in lieu of the standard furlough notification period described under III-3.1h(3). In order to be offered this option, the employee must have at least 1 year of employment in career status. This option is offered at the choice of the department upon approval from University Human Resources.

(2) Departments may offer the furlough lump sum payment option if it was not initially offered in the original furlough notification letter. The department will be required to initiate a new Reduction in Force (RIF) and a revised furlough notification letter offering the furlough lump sum payment option and revised notification dates.

(3) A 90-calendar-day notice period begins on the date the staff member receives the written notice of position elimination, regardless of the length of time in career status at the time of notice. The employee will remain employed during the notice period, and will receive priority consideration for vacant positions for which he or she is qualified during the 90-calendar-day notice period, and for 1 year after termination from The University of Iowa. The 90-calendar-day notice period may be reduced or waived upon the agreement of parties. The employee will be eligible for priority consideration for the period described above.

(4) At the end of the 90-calendar-day notice period, if through the process of priority consideration no vacancy has been identified for which the staff member is qualified, or if the staff member has not declined a position for which he or she is qualified, the staff member is paid a lump sum in lieu of the longer notice period available under the current option, according to the following schedule:

(a) One year in career status: 1 week's pay (1 week per year since most recent date career status was received).

(b) Two years in career status: 4 weeks' pay (2 weeks per year since most recent date career status was received).

(c) Three years in career status: 9 weeks' pay (3 weeks per year since most recent date career status was received).

(d) Four years or more in career status: 4 weeks' pay per year since most recent career status date was achieved (maximum 26 weeks of pay).

(5) If the staff member terminates employment from the University for any reason, before the end of the 90-calendar-day notice period, except under the conditions described above in paragraph j(2) above, the lump sum payment will not be paid.

(6) The University will contribute to health insurance for the staff member only towards COBRA coverage for 12 months following termination.

(7) If the department chooses to offer the lump-sum furlough option based on operating needs, it is to be presented as a choice for the staff member, with the first option being that of the current notice period during which the staff member remains employed for the entire notice period of 6 to 12 months.

The employee will have 3 weeks to respond with a decision on whether or not to accept the lump-sum furlough option. If the employee does not respond within the 3-week period, the furlough process described in III-3.1i will be followed. If the staff member responds with a preference but the department and staff member cannot agree on the option, the furlough process described in III-3.1i will be followed. Whichever option goes into effect, the respective notice period begins on the date the staff member was given the written notice of job elimination.

(8) Once the lump-sum option has been offered and accepted, it may be revoked at any time during the 90-calendar-day notice period upon agreement by both parties.

(9) In the event that a staff member's position is eliminated more than once during his or her University employment, the individual may elect the lump-sum option no more often than once in a 12-month period, nor more than twice during his or her total University employment.

k. Furlough Networking Program (7/15/08). The University of Iowa Furlough Networking Program is intended for University of Iowa professional and scientific (P&S) non-organized

employees who have been given a permanent furlough notification letter or currently are permanently furloughed (referred to in this document as "furloughed employee").

In order to facilitate the placement of furloughed employees at The University of Iowa, the following policy may be used to secure regular, specified term, or temporary P&S non-organized positions:

(1) This policy shall apply to permanently furloughed employees holding career, specified term, at-will, or probationary status.

(2) Furloughed employees and/or Human Resources Unit Representatives may initiate contact with colleges, divisions, departments, or laboratories across campus to determine what employment opportunities may be available.

(3) If a college, division, department, or laboratory has a position vacancy and wants to fill the vacancy with a furloughed employee, they may do so as long as the position has not been advertised on Jobs@UIOWA. If the position has already been advertised or currently is being advertised on Jobs@UIOWA, the normal Office of Equal Opportunity and Diversity recruitment process must be followed.

(4) If a college, division, department, or laboratory does not have a vacant position but wishes to hire the furloughed employee, they can request the creation a new position by completing a Position Change Form (Reason: New Position) and attaching a copy of the local job description and an organizational chart.

(5) Preliminary discussions between the employee and the departmental Human Resources Unit Representative regarding salary and a proposed start date will take place prior to offering the position to the furloughed employee.

(6) If a college, division, department, or laboratory has funding for a vacant position and intends to hire a furloughed employee, they must complete a Transfer Form (Reason for Transfer: Furlough Transfer). A copy of the offer letter, the furloughed employee's resume or curriculum vitae, and salary justification, if required, must be attached to the Transfer Form.

(a) The employee shall transfer to the new position with the same job status (e.g., career to career, specified term to specified term, and probationary to probationary), as appropriate. A probationary employee will be asked to serve additional time in probationary status based upon III-3.1d(5) above.

(b) By accepting a transfer to the new college, division, department, or laboratory into a regular P&S non-organized position, the furloughed employee no longer will have furlough rights/priority consideration for regular P&S non-organized positions.

(c) By accepting a transfer to the new college, division, department, or laboratory into a temporary position, the furloughed employee will retain furlough rights/priority consideration for regular P&S non-organized positions until such time furlough rights/priority consideration ends. If the furloughed employee cannot successfully perform the responsibilities of the temporary position, the furloughed employee will return to his or her former position for the remainder of the furlough notification period.

3.2 Performance Review for University Staff

(Enacted 6/22/92; amended 1/02; 6/05; 8/05; 2/07; 5/07; 8/13; 4/14; 10/15; 7/1/17)

a. Purpose:

(1) to establish a method for providing each University staff member with expectations for performance and periodic evaluation of performance;

(2) to facilitate direct communication between supervisors and staff members on performance expectations, achievements, and goal setting;

(3) to recognize the accomplishments and define the educational needs of staff members;

(4) to review the job description duties and assure the necessary resources are available to effectively perform the job duties;

(5) to identify potential career growth opportunities or expanded roles within departmental operations; and

(6) to serve as one criteria for determining discretionary salary increases for staff members in accordance with collegiate and departmental salary policy.

b. Philosophy. The performance review system facilitates the growth and development of staff members and achievement of institutional goals. It is a continuous process with shared responsibility that begins during onboarding and orientation and continues throughout employment. The actual performance review is a formal opportunity to review and discuss the progress and accomplishments made during the year and to review position expectations and set goals for the coming year. This process should address the University's three Universal Competencies: Positive Impact/Achieving Results, Service Excellence/Customer Focus, and Collaboration/Embracing Diversity. For UI Health Care staff, this process should address the ICARE Core Values: Innovation, Collaboration, Accountability, Respect, and Excellence. Fundamental principles of the process are to assure appropriate performance, encourage continuous developmental growth, and motivate behavioral change when expectations are not being met. The process should stimulate both oral and written two-way communication, including opportunity for self-appraisal.

(1) Reviews will be based on observable and, when appropriate, measurable outcomes. Reviews must occur no less than annually.

(2) The performance review system will serve to aid managers in decision making with respect to (but not limited to):

(a) achievement of organizational goals and individual goal setting;

(b) performance improvement;

(c) training and coaching;

(d) compensation;

(e) promotion, transfer, and reclassification;

(f) nomination for University and departmental awards;

(g) probationary period; and

(h) disciplinary action.

(3) Each University staff member should be aware of the expectations of his or her position as well as how he or she will be evaluated. (See https://hr.uiowa.edu/performance-management.)

(4) The performance review system will serve to aid staff members in the following ways:

(a) as a mechanism to express feedback about his or her performance;

(b) as an opportunity to list accomplishments for evaluation period;

(c) as an opportunity for coaching;

(d) to provide clear understanding of supervisor's and unit's goals for the following year;

(e) as an opportunity to request training in or referral to learning and development opportunities to enhance skills or develop new skills;

(f) as a time for discussion regarding career goals, including referrals to University programs that support staff to achieve career goals; and

(g) as an opportunity to provide feedback on process improvement.

(5) Performance review training, with opportunities for providing both qualitative and quantitative feedback, will be available through UI Learning and Development and through UI Health Care Human Resources.

c. Policy. Each administrative unit within the University shall demonstrate utilization of a performance management system consistent with the philosophy statement above.

Deans and vice presidents will be responsible for ensuring that each administrative unit for which they are responsible meets the requirements of this policy. The Chief Human Resources Officer will run annual compliance completion reports for each college or division. Reporting occurs utilizing HR web applications (https://hr.uiowa.edu/imhr). Further, compliance reporting will be considered a part of the evaluation process for every dean, executive officer, manager, or supervisor.

Each unit, department, division, or college will be responsible for providing support to supervisors in the review of staff members in accordance with University, collegiate, division, and departmental guidelines, and for identifying what latitude there is for creating the unit's own best practices. It is the responsibility of each supervisor to be consistent in the performance review practices with all staff members they supervise. All performance management systems shall be consistent with the philosophy, principles, and characteristics outlined in this University policy on Performance Review. Tools are available at the performance management website.

d. Procedure. The following steps are a guideline for the performance management process:

(1) The supervisor communicates clear expectations with measurable outcomes to the staff member. This occurs at the beginning of a staff member's employment and continues throughout the year. Job descriptions should be regularly updated and reviewed in concert with the performance review process.

(2) The supervisor collects supportive documentation (both quantitative and qualitative) that provides information about the staff member's performance.

(a) All professional and scientific staff members and merit staff members are also held accountable to meeting three Universal Competencies:

(i) Positive Impact/Achieving results

(ii) Service Excellence/Customer Focus

(iii) Collaboration and Embracing Diversity

(b) All UI Health Care professional and scientific and merit staff members are held accountable to the UI Health Care Core Values:

(i) Innovation: We seek creative ways to solve problems.

(ii) Collaboration: We believe teamwork is the best way to work.

(iii) Accountability: We behave ethically, act openly and with integrity in all that we do, taking responsibility for our actions.

(iv) Respect: We honor diversity and recognize the worth and dignity of every person.

(v) Excellence: We strive to achieve excellence in all that we do.

(3) The supervisor provides feedback to staff members on a regular basis regarding their performance. This includes both strengths and areas for development. Feedback is a crucial part of building the relationship between supervisor and staff member and also provides the opportunity for questions and clarification.

(4) The supervisor sets the stage for an annual performance review by communicating to the staff member about the performance review form that will be used and how the review will be conducted. Supervisors should utilize a review process that is fair, confidential, and consistent within a defined working group.

(5) The supervisor and staff member both prepare for the review by organizing information and identifying accomplishments, reviewing past and future performance goals for the review period, deciding what issues need to be discussed, identifying whether new or additional resources are needed to do the job, and determining future developmental needs.

(6) Typically, the review session occurs with the supervisor and staff member meeting face to face and, together, reviewing goals from the previous year and creating a future action plan. In extenuating circumstances, other models may be used as appropriate to provide for this exchange of information. In either case, the supervisor concludes the review process by documenting the session — recording both goals met and those not completed and identifying future performance goals and resources available to support change. A staff member may make additional comments on his or her review. Additionally, if a staff member disagrees with his or her supervisor's review, these comments should be recorded as a part of the review document. Each party needs to sign and date the form and have the opportunity to include comments.

The performance management website details the components of preparing and conducting an effective performance review. For clarification regarding guidelines for the performance review process in a specific unit, contact your unit's Human Resources representative. To identify your Human Resources representative, visit Employee Self Service, choose the "Personal" tab, and click on "My HR Rep/Workflow Admin/Dept/Admin."

3.3 Guidelines for Employment of Professional and Scientific Research Staff Members

(Enacted 12/94, Staff Council, Office of the Vice President for Research; amended 7/1/99)

a. Hours/work week. While those professional and scientific staff members at the University not engaged in scientific research usually are able to work a fairly predictable schedule, the nature of scientific research often precludes establishment of a fixed work schedule. The University assumes that professional and scientific research staff will

work a flexible schedule to meet the needs of the assigned research project. An investigator who will consistently require a staff member to work irregular hours and/or hours in excess of 40 in a work week should reflect these demands in determining the salary for the staff member at the time of appointment or salary review. Such demands also should be spelled out at the time of appointment in a position description or letter of offer. Moreover, the investigator who requires an irregular schedule should permit the staff member concomitant flexibility in scheduling work time, consistent with the demands of the research.

(See III-3.4 Classification Review of Professional and Scientific (P&S) Staff Positions.)

b. Recognition and professional development. Research staff who make scholarly contributions to a research project should be included among coauthors or acknowledged in publications that result from the research. Questions of co-authorship and acknowledgement should be discussed with the staff member and agreed upon in advance of the publication or research to which the staff member has contributed. Professional development opportunities for staff members may include support for travel to conferences at which the results of such research are presented. Departments and investigators also should promote professional development by making every effort to support continuing education for research staff, consistent with that provided other faculty and staff in the department in which the staff member is appointed.

3.4 Classification Review of Professional and Scientific (P&S) Staff Positions

(11/1/96; amended 7/1/99; 11/04; 8/05; 3/06; 7/06; 12/06; 1/08; 5/10; 10/31/11)

Purpose. The University of Iowa professional and scientific classification system was established to meet the needs for employing staff with the appropriate mix of skills to meet the multiple missions of all University entities and to ensure that staff are appropriately and equitably classified and recognized for their contributions. Each classification has an approved University title, although specific working titles also may be designed within employing units. It is the responsibility of departments/administrative units to determine unit requirements as they relate to the number of staff and the classification mix necessary to effectively operate the unit. This policy addresses the process for seeking and conducting a classification review based upon a change of duties and responsibilities of a filled position.

a. Staff members covered. All regular (non-temporary) P&S staff members holding appointments of 50 percent or more are covered by this policy. Those holding appointments of less than 50 percent may request classification review through normal administrative channels.

b. Types of classification changes. When the duties and responsibilities of a position substantially differ from those established in the University's classification description for the current classification, while also fulfilling a department/administrative unit's needs for a different classification, the position is eligible for reclassification to a higher, equal, or lower pay level:

(1) Career promotion to a new classification in a higher pay level (whether same or different function/family), demonstrated by significant and sustained changes involving new duties, additional key areas of responsibility, expanded scope, and to the extent that the key areas of responsibilities of a another classification have become the best fit overall for the work performed.

(2) Career shift to a new classification at the same or lower pay level (whether same or different function/family), demonstrated by significant and sustained changes involving different duties, key areas of responsibilities, changes in scope, and to the extent that the key areas of responsibilities of another classification have become the best fit overall for the work performed.

Any change in classification, whether a promotion or a career shift, will be based upon the sustained performance of new duties, typically for a period of at least 6 months and anticipated to be continuing into the foreseeable future. These are duties that have not been recognized in previous classification decisions.

c. Procedures. Any staff member, supervisor or department/administrative unit may initiate a classification review of an occupied position. University Human Resources will establish procedures for requesting and processing requests for classification review (see https://hr.uiowa.edu/career-development). Any change in classification must be approved by University Human Resources to assure the correct University classification is assigned.

d. Timelines. After an individual, supervisor, or department initiates a request for a classification review, the department shall act on the request within 30 calendar days. The college/major administrative unit shall act on the request within 30 calendar days following receipt of the departmental recommendation. The Division/College Review Committee (DCRC) or University Review Committee (URC) shall make its decision within 30 calendar days of the committee meeting (refer to Review, below, for definitions of committees). The Chief Human Resources Officer shall issue a final decision within 30 calendar days following receipt of the college/major administrative unit or DCRC/URC recommendation for a change in classification. During peak time periods, March 1 through June 30, the Chief Human Resources Officer will issue a final decision within 45 calendar days. Reviews may be initiated throughout the year and, if the classification is changed, it shall be effective on the first day of the month following central administration approval. Failure to act within the prescribed time frame shall automatically move the request to the next administrative level unless, by mutual agreement, there is an extension of the deadline.

e. Responding to staff. This policy provides for periodic feedback to the employee and department on the progress of a request. All requests for a change in classification shall be forwarded to the college/major administrative unit, even if the supervisor and/or department deny a staff member's request. Upon final denial of a classification review request, the staff member shall receive written notification of denial, the specific reasons for the denial, and a description of the appeal process.

f. Compensation upon promotion (see https://hr.uiowa.edu/career-development/promotion) or career shift (see https://hr.uiowa.edu/career-development/shift-new-classification) shall follow the pay practices established by University Human Resources, taking into account any change in pay level, the significance in the change of responsibilities, relationship to the designated market range and median zone, and other relevant factors. Determinations regarding salary are subject to Administrative Review (see III-28.2).

g. Appeals. This policy provides an appeal process for individuals or departments/administrative units to present their objections to a denial of classification change for an occupied position. Each college/major administrative unit with sufficient resources shall appoint a DCRC to consider appeals. Where the administrative unit lacks sufficient resources to develop a standing committee, appeals shall be directed to the URC. This shall be the appeal venue for central administrative employees and those of smaller colleges/administrative units. The DCRC and URC shall each consist of:

(1) At least two professional and scientific staff members appointed for two to three years, with the possibility of a renewed appointment;

(2) A primary human resources professional or designee; and

(3) A representative knowledgeable of the position being reviewed, at the discretion of the DCRC/URC membership, appointed on an ad hoc basis.

If the supervisor or department/administrative unit denies a change in classification request initiated by a staff member, the department/administrative unit shall forward the request and specific information on the reason for the denial to the college/major administrative unit. If the college/major administrative unit denies the request, written notification shall be provided to the staff member, supervisor, and department, detailing the reasons for denying the request. Upon written notification of the denial, the individual or department initiating the request has 15 calendar days to submit an appeal of the classification to the chair of the DCRC/URC. The written request for appeal shall address why the staff member or supervisor believes the division/college decision is incorrect. The individual or department initiating the

appeal may request to meet with the DCRC/URC in person. Such requests shall be granted. If a written request for appeal is not submitted within the 15-calendar-day period, the denial shall be considered final.

If the college/major administrative unit denies the appeal and the denial is sustained by the DCRC/URC, the denial shall be considered final. However, if the DCRC/URC reverses a college/major administrative unit denial, the documentation shall be forwarded to the Chief Human Resources Officer for consideration. The decision by the Chief Human Resources Officer shall be considered final.

3.5 Procedures for Creating a New Professional and Scientific Job Classification or Modifying the Pay Level of an Existing Classification

(5/00; 11/04; 10/31/11)

New P&S classifications or modifications of pay levels of existing classifications are initiated by University Human Resources or a major organizational unit.

a. The major organizational unit provides University Human Resources (Compensation and Classification Unit) with:

(1) an organizational chart;

(2) justification materials supporting reasons for a new position or a change in the current pay level; and

(3) a classification description(s).

b. The Compensation and Classification unit determines if other areas will be affected by the new/changed position. If so, Compensation and Classification and/or the requesting organizational unit will contact the area(s) involved to see if they concur with the review. A representative of the Compensation and Classification unit will provide guidance on who will coordinate the review with the other units.

c. Following consultation with all affected areas, the Compensation and Classification unit will determine if it is appropriate to create a new job description.

d. Members of the Compensation and Classification unit will conduct a job analysis on the position and allocate it to a pay level.

e. The major organizational unit will be informed of the outcome of the job evaluation process. The organizational unit notifies department supervisors/managers and the impacted employees of the recommendations of the Human Resources Office.

f. The Compensation and Classification unit prepares the job description and justification materials and submits them to the Board Office.

g. The Board of Regents Office reviews the materials and determines if the request is approved or denied.

***Note:** These procedures affect all incumbents of the classification. For review of the classification of an individual position, see III-3.4 Classification Review of Professional and Scientific (P&S) Staff Positions.

3.6 Classification Review of a Merit Position to a Professional and Scientific (P&S) Staff Position

(1/03; 11/04; 8/05; 3/06; 7/06; 12/06; 4/09; 11/09; 5/10; 10/31/11)

a. Purpose. The University of Iowa classification system was established to meet the needs for employing staff with the appropriate mix of skills to meet the multiple missions of all University entities and to ensure that staff members are appropriately and equitably recognized for their contributions. It is the responsibility of departments/administrative units to develop ongoing plans for staffing. The department/administrative unit must consider unit requirements as they relate to the number of staff and classification allocation necessary to effectively operate the unit. This policy clarifies the process for seeking and conducting a classification review for a filled position.

b. Policy.

(1) Eligible employees. All regular (non-temporary) merit employees who have an appointment of 50 percent or greater and request to have their position reviewed using the professional and scientific (P&S) classification evaluation system are covered by this policy.

Merit employees may not initiate a career shift request to Librarian classifications; however, the department shall have the authority to request a classification review if it is determined necessary to meet business needs. Merit employees may not request a career shift to an SEIU-designated classification.

(2) Review process. When the key areas of responsibilities and authority of a position substantially differ from those established in the University's merit position description for the current classification, while also fulfilling a department/administrative unit's needs for a different job classification, the position is eligible for consideration for assignment to the professional and scientific (P&S) work category.

(3) Procedures. Any merit employee described above, supervisor, or department/administrative unit may initiate a classification review of an occupied position. University Human Resources will establish procedures for requesting and processing requests for classification review. (See https://hr.uiowa.edu/careers/merit/merit-ps.) Any change in classification must be approved by University Human Resources to assure the correct University classification is assigned.

(4) Timelines. After an employee, supervisor, or department initiates a request for a classification review, the department shall provide a recommendation on the request within 30 calendar days. The college/major administrative unit review shall provide a decision on the classification request within 30 calendar days following receipt of the departmental recommendation.

The Chief Human Resources Officer will solicit an opinion from the University Merit Position Review Committee, and shall issue a final decision within 30 calendar days following receipt of the college/major administrative unit recommendation. During peak time periods, March 1 through June 30, the Chief Human Resources Officer will issue a final decision within 45 calendar days. The decision by Human Resources shall be considered final and not subject to appeal.

Reviews may be initiated throughout the year and, if the classification is changed, shall be effective on the first day of the month following central administration approval. Failure to act within the prescribed time frame shall automatically move the request to the next administrative level unless, by mutual agreement, there is an extension of the deadline.

(5) Responding to staff requests. This policy provides for periodic feedback to the employee and department on the progress of a request. All requests for a change in classification shall be forwarded to the college/major administrative unit, even if the supervisor and/or department deny a staff member's request. Upon final denial of a classification review request by the college/major administrative unit review, the staff member shall receive written notification of denial, the specific reasons for the

denial, and a description of the appeal process.

(6) Appeals. This policy provides an appeal process for individuals or departments/administrative units to present their objections to a denial of classification change for an occupied position. Denials of classification requests may be submitted to the University Appeals Committee (UAC).

(a) University Appeals Committee (UAC). Three members shall be appointed by the Chief Human Resources Officer for a period of three years, with possibility of a renewed appointment, and are required to have knowledge of P&S and merit position classifications. At least one appointment shall consist of a campus human resources professional.

(b) Upon written notification of the denial, the individual or department initiating the request has 15 calendar days to submit an appeal of the classification to the chair of the UAC. The written request for appeal shall address why the staff member or supervisor believes the college/major administrative unit review decision is incorrect. The individual or department initiating the appeal may request to meet with the UAC in person. Such requests shall be granted. If a written request for appeal is not submitted within the 15-calendar-day period, the denial shall be considered final and not subject to appeal.

(c) If the UAC denies the appeal, the denial shall be considered final. However, if the UAC reverses a college/major administrative unit denial, the documentation shall be forwarded to the Chief Human Resources Officer for consideration. The decision by Human Resources shall be considered final and not subject to appeal.

(7) Compensation upon career shift shall follow the pay practices established by University Human Resources, taking into account the significance in the change of responsibilities, relationship to the designated market range and median zone, and other relevant factors (see https://hr.uiowa.edu/career-development/shift-new-classification). Determinations regarding salary are subject to Administrative Review (see III-28.2).

(a) On-call, standby, and callback pay will not be considered when determining the salary upon a change to a professional classification. Departments may petition for the consideration of overtime in determining compensation when it has been consistent over an extended period of time.

(b) Future merit step increases will not be considered when determining the career shift salary increase.

(c) If a merit employee with permanent status and at least four years of service is moved to a P&S position that is eligible for career status, the employee will serve one year in probationary status before becoming eligible for career status, except as provided in III-3.1 b(3) and c(2) above. If a merit employee with less than four years of service is moved to a P&S position that is eligible for career status, the employee will be required to serve the full probationary period.

(d) Employees considering changing from a merit classification to a P&S classification are advised to compare the difference in the benefits provided to employees in these work categories.

III. Human Resources

Chapter 4 – Student Employees

Amended 7/98; 5/00; 5/03; 11/04

4.1 Hiring

Student employees paid on an hourly basis are hired through and in accordance with procedures established by the Office of Student Financial Aid.

4.2 Employment Eligibility

(5/00; amended 3/02)

All newly appointed University employees must have their identity and their eligibility to work in the United States verified. The United States Citizenship and Immigration Services (USCIS), formerly known as Immigration and Naturalization Service (INS), Form I-9 is used to verify the employee's identity and eligibility to work.

The I-9 form must be completed by the third day of employment. Failure to complete the I-9 form in a timely manner or at all may subject the hiring department to penalties and fines from the federal government for failing to provide proof of work authorization. If a person is appointed who is not eligible to work, his or her employment must be terminated immediately upon learning he or she is not authorized to work. It is the hiring department's responsibility to ensure that a completed I-9 form is submitted to the Payroll Office.

4.3 Payroll

Student employees are paid according to the following procedures established by the Payroll Office and the Office of Student Financial Aid in accordance with the Office of Internal Audit.

a. At the end of the pay period, the employer should submit the completed Employee Time Record (ETR) to University Payroll. This is done via Employee Self Service or by electronic transmission. Every effort should be made to submit the ETR by the due date on the biweekly payroll schedule.

b. Employee time records for both work-study and part-time hourly student employees should always have the routing signature of the supervisor or the designated departmental representative who is authorized to approve time record payments.

c. Documentation must be retained by the department in order to provide the employee with an opportunity to verify the work hours submitted for payment and discuss discrepancies, if any exist. The student's signature can be provided on the ETR submitted to University Payroll. If the student's signature is not provided on the ETR sent to University Payroll, the student will still be paid for the hours submitted, but documentation must be maintained by the employing department on an internal log of work hours. This record is to be kept on file in the department for three years and made available for audit upon request.

(See also III-30 Student Employee Grievance Procedure.)

III. Human Resources

Chapter 5 – Postdoctoral Scholars

(President 3/79; amended 10/94; 10/04; 8/09; 5/15; 5/17)

5.1 Employment Eligibility

a. All newly appointed University employees must have their identity and their eligibility to work in the United States verified. The United States Citizenship and Immigration Services (USCIS), formerly known as the Immigration and Naturalization Service (INS), Form I-9 is used to verify the employee's identify and eligibility to work.

b. The I-9 form must be completed by the third day of employment. Failure to complete the I-9 form in a timely manner or at all may subject the hiring department to penalties and fines from the federal government for failing to provide proof of work authorization. If a person is appointed who is not eligible to work, his or her employment must be terminated immediately upon learning he or she is not authorized to work. It is the hiring department's responsibility to ensure that a completed I-9 form is submitted to the Payroll Office.

5.2 Definitions and Classification

a. Postdoctoral Scholars at The University of Iowa are recognized as persons engaged primarily in research, as part of a continuum of post-Baccalaureate education and training, unique from either students or faculty members. The individual's classification, responsibilities, and benefits have been tailored to this unique status. As a Postdoctoral Scholar at The University of Iowa, they have access to many of the opportunities and services we make available to students and have available several of the benefits provided to faculty.

"Postdoctoral Scholars" is a general term used at The University of Iowa to designate temporary, doctoral-level researchers engaged in advanced education and training designed to prepare for an academic and/or research career. The University recognizes two classifications of Postdoctoral Scholars, depending on the sources of their stipend and research funding, and the nature of their research activities.

(1) Postdoctoral Research Scholars are engaged in research supported by external grants or contracts or by University of Iowa General Education funds that may be made available to faculty members. Persons appointed under this classification (appointment code FP01) have specific responsibilities and research expectations directly related to the grant, contract, or University-funded program

(2) Postdoctoral Research Fellows are supported by fellowships (generally awarded to them individually) that allow them to pursue research with a faculty member and a host institution of their choice. While the funding agency, department, or institution may expect some specific duties or research products, such expectations are usually incidental to the award. The primary obligation to accomplish the aims of the fellowship rests with the Fellow (appointed under code FP02).

b. Length of Appointment: Postdoctoral Research Scholars and Postdoctoral Research Fellows are temporary appointments at The University of Iowa. The post-doctoral experience at The University of Iowa will not extend past five years, unless there are unusual circumstances. The department would need to send justification of extending this appointment for approval to the Associate Provost for Graduate Education.

5.3 Registration and Certification

a. University Registration and Records: Whatever the classification of the appointment, the individual has a special status of Postdoctoral Scholar within the Graduate College, which has the responsibility for administering postdoctoral education. A transcript will be created by the Office of the Registrar to record Postdoctoral appointment status. Following the postdoctoral appointment, some employers, including the Federal Government, may require or request such documentation as a condition of employment.

The transcript record also includes any courses that the individual takes while at The University of Iowa. They may enroll in the following courses without tuition or fee assessment: 650:604 Principles of Scholarly Integrity, 650:605 Writing for Learned Journals and 650:606 Research Skills. If the individual wishes to register for any other course work, they must be admitted to the university as a non-degree, graduate special student (G9). Enrollment under this classification will generate tuition and fees, for which the individual will be responsible.

b. Certification of Postdoctoral Work: The University Registrar will, upon request, issue a certificate recognizing postdoctoral education, provided the appointment was for one semester or longer. The University transcript also will reflect the beginning and ending dates of the postdoctoral appointment.

5.4 Benefits, Social Security, and Retirement

(Amended 5/15; 5/17)

a. Health and Dental Insurance: Postdoctoral Research Scholars/Fellows hired into these positions may enroll in UIGRADCare, the Student Health Insurance Program (SHIP), and Student Dental. The University contribution toward the cost of coverage will be as follows: 90 percent of the cost for a single health insurance plan, 70 percent for coverage of family members; 85 percent of the cost for a single dental plan, 70 percent for coverage of family members.

The University Benefits Office will send a packet of materials at the time the appointment begins. This will include rates, information, and an enrollment form to complete and return. Information on the plans can also be reviewed at the insurance section of this website.

Individuals who do not receive a salary with their fellowship are still eligible to purchase coverage at their own expense. They should contact the University Benefits Office for the necessary application forms once the appointment has been entered on the University's payroll system by their department.

b. Health and Dependent Care Spending Accounts: Any Scholar or Fellow who has taxable income may participate in these accounts. For more information on them, along with the advantages of participating and the enrollment process, search for "Spending Accounts" on the Benefits website.

c. Disability and Workers' Compensation: Postdoctoral Scholars are covered by Workers' Compensation. Postdoctoral Fellows, however, are not covered. Since this type of appointment is not classified as a University employee, Fellows are not entitled to disability insurance.

d. Social Security and Retirement: All Postdoctoral Research Scholars (FP01) who are U.S. citizens or legal permanent residents are required to participate in one of the following retirement programs: either Iowa Public Employees Retirement Systems (IPERS) or the Funded Retirement Plan (TIAA). Postdoctoral Research Scholars (FP01) who are not U.S. citizens or legal permanent residents are required to participate in the Funded Retirement Plan (TIAA).

Postdoctoral Research Scholars also have the option to participate in the Voluntary Retirement Savings Program (VRSP) if they have taxable income. Information on this

program is available on the retirement section of this website under "Saving Extra for Retirement." Scholars or Fellows who receive salary may participate in the Roth 403b plan described on the above website, even if they do not have taxable income.

Postdoctoral Research Fellows (FP02) are exempt from payment of FICA (Social Security) and Medicare taxes; therefore, they are also exempt from the payroll deduction for retirement either with IPERS or TIAA. Federal and state tax deductions will not be withheld from paychecks; however, the individual may still be responsible for payment of taxes. Individuals in this category are not eligible to participate in a VRSP.

e. Paid Leave: Postdoctoral Scholars at The University of Iowa are entitled to annual paid leave of 15 working days and annual sick leave of 18 working days but do not accrue vacation and are not entitled to vacation pay. The agency supporting a Postdoctoral Fellow may require different policies. The appointing department is responsible for arranging and accounting of leave for Postdoctoral Scholars.

f. Access to University Facilities and Activities: The Postdoctoral Scholar's University identification card is their key to university services. This identification card provides access to library and information resources, recreational services, cultural and athletic events as well as the ability to charge items to their University billing account.

5.5 Administration of Appointment

The Graduate College is responsible for administrative matters relating to postdoctoral education at The University of Iowa and is the primary contact regarding postdoctoral educational experience. The Graduate College also provides or can arrange for counseling, mediation, or other services for Postdoctoral Scholars. Questions regarding the policies, benefits, and services applicable or available to Postdoctoral Scholars should be directed to the Graduate College. Questions particular to the appointment, its terms, requirements, or limitations, should be directed to the faculty advisor or the appointing department.

III. Human Resources

Chapter 6 – Transfers, Promotions, and Other Changes in Status

(Amended 9/93; 3/02; 4/02; 10/31/11; 7/1/17)

6.1 Merit System Staff Members

(Amended 3/02; 7/1/17)

When a staff member transfers from one department to another, sick leave benefits and accrued vacation time also transfer and are assumed by the new department.

a. In the case of a transfer involving movement of a staff member from one department to another, a Transfer Form is initiated by the appropriate department with the special note that the staff member is transferring to another department. Except for regularly scheduled merit increases in salary, all other changes in the status of a staff member, such as changes in positions within a department, changes in percent of time worked, changes of name and marital status, changes in accounts from which paid and changes from temporary to permanent or student to nonstudent status and vice versa, are made by use of the Change of Status form.

b. Forms signed by the departmental executive officer are forwarded directly to Human Resources unless the departmental executive officer's dean or administrative officer has issued other instructions. Where such recommendations for an appointment or change in status conform to the line budget and are within the University compensation and employment policies, Human Resources is authorized to approve the recommendation.

c. Where such recommendations do not conform to the line budget, they are referred by Human Resources to the dean or chief administrative officer of the college or division with instructions for further action. In such cases, it is necessary to arrange with the Office of the Senior Vice President for Finance and Operations for approval for changes in the line budget or transfer of funds, or both.

d. Provision is made for advancement in salary for staff members in classified general service positions in accordance with the Regent Merit System Rules contained in *Iowa Administrative Code* 681.3.

(See also IAC [681] 3.101(19A).)

6.2 Transfers of Faculty from Departments or Colleges

(Regents 6/26/75)

a. No faculty member shall be transferred involuntarily from the department or college in which he or she holds an appointment, except when:

(1) For educational, financial or administrative reasons, the University, after consulting interested parties, decides to abolish one or more colleges or academic departments, reduce the size of either or both, consolidate either or both, divide either or both into two or more units, reorient the scope of either or both or move one or more departments from one college to another; or

(2) After appropriate consultation with interested parties, there are good reasons to believe that the educational program of the University will be forwarded by such a transfer and that the services of the faculty member can be utilized more effectively in the transferee department or college than in the transferor department or college. Before such a transfer is made, consideration should be given to alternative methods of achieving the educational goal and an involuntary transfer should be made only if no other reasonable means is available to achieve that goal.

b. No faculty member may be transferred under the provisions of these regulations as a sanction or penalty for personal or professional action of the faculty member.

c. No faculty member shall be transferred under the provisions of paragraph a(2) of this policy:

(1) Prior to being given at least three months' notice.

(2) Prior to being given a written statement of the reasons for the proposed transfer as well as the conditions, if any, under which the transferring faculty member will be transferred back to the transferor department or college.

(3) Unless the proposed transfer has been reviewed by a committee of the Faculty Senate which shall advise whether the proposed transfer meets the standards established herein.

d. A faculty member who is transferred involuntarily under the terms of this policy shall retain her or his rank, tenure rights (if any), promotion opportunities (if any), salary, and other perquisites acquired during prior service at the University.

e. As used in this policy, the words "interested parties" shall, at a minimum, include the faculty member or members being transferred, the dean or deans of the college or colleges involved, the departmental executive officers of the departments directly affected and, through them, members of such departments.

f. If a faculty member files a grievance concerning his or her proposed involuntary transfer, such grievance may be brought in accord with procedures specified in III-29.6 (Grievance) of the Faculty Dispute Procedures on the issue of whether the proposed transfer meets the terms of this policy.

III. Human Resources

Chapter 7 – Access to Personnel Files

(10/95; amended 3/02; 9/02; 12/05; 10/14; 9/15; 7/1/17)

7.1 Faculty — General

The University recognizes the right of access by a faculty member to his or her own personnel files whether in departmental, collegiate, central administrative, or any other University offices. A faculty member may have access to letters and other materials written in an expectation of confidence after the means of identification have been removed.

a. The following materials will be presumed to have been written in an expectation of confidence, unless the author indicates otherwise:

(1) materials from students;

(2) materials from outside evaluators.

b. Materials from administrators, including deans, directors, and department heads, will be treated as not having been written in an expectation of confidence.

c. Materials from peers within the University will be treated as having been written in an expectation of confidence.

d. The above statements comprise the basic policy on faculty access which is to be observed in all colleges and departments. In addition, by vote of the appropriate faculty group, a department or college may elect to adopt a general policy providing access to materials written by peers within the University without removing the means of identification. The Executive Vice President and Provost should be notified by any department or college electing to provide access to such materials.

e. A faculty member wishing to have access to his or her personnel files should inform the administrator responsible for maintaining the files sought for inspection. Nothing in this statement limits a faculty member's right of access to his or her own personnel files in connection with a proceeding brought under III-29. Questions relating to the application of this policy should be directed to the Executive Vice President and Provost.

7.2 Professional and Scientific Staff, Faculty, and Merit System Staff

(10/95; amended 3/02; 9/02; 12/05; 10/14; 9/15; 7/1/17)

a. General. Employing departments shall maintain a personnel file, and, when applicable, a separate medical file for each employee. Files are the property of the University, and information contained within shall be consistent with state and federal laws and regulations and University policies.

b. File Content.

(1) Personnel File. Personnel files shall contain documents related to the employee's employment, e.g., resumes and/or application materials, appointment and employment offer documents, change of status and termination forms, performance appraisals, letters of recognition and/or commendation, and any disciplinary records.

(2) Medical File. Medical file contents are limited to documents related to the health conditions of the employee and/or employee's family member that have related or will relate to the employee's ability to work. Documents may include but are not limited to health concerns involving: Workers' Compensation; Family and Medical Leave Act; the Americans with Disabilities Act; employment accommodations; absence due to health, release to return to work; employee medical limitations; employment immunizations; and drug screen information when applicable under the commercial driver's license (CDL) drug-testing program.

c. File Storage and Access. Personnel and medical file information is presumed confidential to anyone but the employee except when information is needed for official University purposes, when the employee gives written authorization, or when the information is general directory information such as name, address, phone number, and position. An employee may request to review personnel and medical files, and copies will be made or access given at an agreeable time and place.

(1) Personnel Files. Files are to be stored and maintained confidentially, whether in hard copy or electronic format. Access is limited to appropriate supervisory and support personnel as required to perform work responsibilities. An employee may provide written authorization to release all or portions of the files.

(2) Medical Files. Files are to be stored and maintained confidentially, whether in hard copy or electronic format. Information shall be kept in a separate location, apart from other employment-related information. Access is limited to appropriate supervisory, support, and safety personnel as required to perform work responsibilities. An employee may provide written authorization to release all or portions of the files.

d. Storage Following Employment Separation.

(1) Personnel Files. Files shall transfer with the employee when the employee assumes a position in another University department. When employment terminates, the employing department shall maintain these files for five years from the date of termination.

(2) Medical Files. Files, except for ADA accommodation–related documents, shall transfer with the employee when the employee assumes a position in another University department. The current department shall send ADA accommodation–related documents to University Faculty and Staff Disability Services at the time of the employee's transfer within the University and/or upon final employment termination. Medical files except for ADA accommodation–related documents shall be maintained for five years from the date of termination in the last employing department.

Documents related to positive test results, refusals to take a required alcohol and/or controlled substances test, and employee exposure to toxic substances may transfer with the employee, depending on the circumstances. Departments in possession of such documents are to contact University Employee and Labor Relations for instructions. Upon termination, documents are to be retained in the last employing department.

(See also https://hr.uiowa.edu/epersonnel-file.)

III. Human Resources

Chapter 8 – Conflict of Interest in Employment (Nepotism)

(Regents 4/20/77; approved Faculty Senate 4/95; Staff Executive Council 7/95; President 9/95; amended 12/04; 4/17; 7/1/17)

Note: This chapter is one of several that address conflicts of interest of various types at The University of Iowa. Others include: II-5 Consensual Relationships Involving Students, which addresses faculty-student relationships that are either prohibited or discouraged due to role conflicts; and II-18 Conflicts of Commitment and Interest, which addresses time conflicts, role conflicts in the workplace, and financial conflicts of interest. See also II-18.7 Other University Policies Related to Conflict of Interest for a complete list of policies that address or are related to conflicts of interest.

8.1 Rationale

The University of Iowa and its employees are committed to the principle of objective, fair, and equitable treatment of all employees. Accordingly, it is crucial that University activities be conducted in an atmosphere that is free of actual or apparent conflicts of interest that compromise this principle. For the purpose of protecting both the integrity and objectivity of its employees in the performance of their University obligations, and to create a workplace environment based in equity and fairness, it is the policy of the University that conflicts of interest should be avoided where possible, and otherwise disclosed and managed.

8.2 Definitions

A conflict of interest in employment at The University of Iowa may arise when 1) an individual University of Iowa employee has the responsibility to make, or participate actively in making, decisions or recommendations relating to the employment status of another individual University of Iowa employee (hereafter, "decision-making responsibility"), or 2) there is a direct reporting line between two such individuals.

Given 1) or 2) above, a conflict of interest in employment arises whenever the two such individuals (hereafter, "related individuals") have a current or former relationship occurring outside the work setting that would make it difficult for the individual with the decision-making responsibility to be objective, or that for a reasonable person would create the appearance that such an individual may not be objective. Examples include, but are not limited to, the following:

a. relationships by blood, adoption, marriage, or domestic partnership: partner, parent, child, sibling, first cousin, uncle, aunt, nephew, niece, spouse, brother- or sister-in-law, father- or mother-in-law, son- or daughter-in-law, step-parent, or step-child; or

b. romantic and/or sexual relationships or intense personal friendships, or significant business relationships.

For purposes of these rules, decisions or recommendations related to employment status include those related to hiring, salary, working conditions, working responsibilities, evaluation, promotion, and termination.

For purposes of these rules, the phrase "first neutral supervisor" means the person (usually the director, departmental executive officer, divisional head, dean of the college, or vice president in charge of the department, college, or unit) immediately superior to the one of the two related individuals who, if there were no conflict of interest, would have decision-making responsibility relating to the employment status of the other related individual.

8.3 Policy

The decision to manage a conflict of interest in employment rather than avoid it must be based on a sound institutional reason. The collegiate or other major unit officer(s) (typically a dean or vice president, or designee) having primary responsibility for approval of employment-status decisions regarding the related individuals also has/have the responsibility of determining whether such a reason exists. If such a reason exists, related individuals can be employed, or can continue to be employed, by the University only if a management plan is developed as described in III-8.6 below.

An individual is not deemed to have decision-making responsibility (and therefore no conflict of interest in employment exists) if that individual's participation is limited to routine approvals and the individual plays no role involving the exercise of any discretion in the decision-making processes. The collegiate or other major unit officer(s) (typically a dean or vice president, or designee) having primary responsibility for approval of employment-status decisions regarding the related individuals also has/have the responsibility for determining whether a conflict of interest in employment exists.

If any question arises whether an individual's participation is greater than is permitted by this section, the Committee on Conflict of Interest in Employment ("Committee") should be consulted for its consideration and recommendation (see III-8.9 below).

8.4 Occasional or Irregular Conflicts of Interest

If a conflict of interest in employment is occasional or irregular (e.g., a tenure or promotion vote), recusal is an acceptable and necessary mechanism for managing the conflict. In such cases, a written statement by the person having the decision-making responsibility that he or she will recuse him- or herself from any employment-related decisions pertaining to the other individual is desirable, but not required.

8.5 Identification of and Initial Steps to Address Conflicts of Interest in Employment

If the conflict of interest in employment is not occasional or irregular but is ongoing so that recusal is not a reasonable mechanism for managing the conflict, other mechanisms (see https://hr.uiowa.edu/policies/conflict-interest-employment) must be adopted. The process to manage the conflict is initiated by notification of the relationship. Ideally, both related individuals should bring the existence of the relationship to the attention of the first neutral supervisor. However, as soon as one of the related individuals does so, the first neutral supervisor shall begin to develop a management plan. For relationships that develop between persons already in a supervisory relationship or when an organizational change results or would result in a supervisory relationship between two related individuals, disclosure should be made at the earliest possible date and no later than within ninety days after commencement of the conflict of interest situation.

To deal with situations in which a conflict of interest might arise through a hiring decision, a management plan must be developed such that the hiring process itself is conducted free of any actual or apparent conflicts of interest. In such cases, disclosure of the relationship should be made at the earliest possible point, in many cases even before the related individual applies for the position.

8.6 Management Plans

a. As soon as notification of an actual or potential conflict of interest in employment has been received, the first neutral supervisor must develop a management plan by which the one related individual with the decision-making responsibility is removed from the decision-making processes that affect the employment status of the other related individual. If all the relevant individuals desire, a neutral supervisor superior to the first neutral supervisor may develop the management plan. If the conflict of interest might arise through a hiring decision, then the hiring process itself should be included in the management plan.

   A template describing the elements of a management plan is available at https://hr.uiowa.edu/policies/conflict-interest-employment. In addition, the co-chairs of the Committee on the Conflict of Interest in Employment (see III-8.9 below) are available for consultation regarding development of a management plan.

b. The development of a management plan itself should not involve the participation of the related individuals except as provided by paragraph a above.

c. The plan developed to manage the conflict of interest in employment of related individuals shall be submitted to the Committee on Conflict of Interest in Employment, after review by the dean, director, or vice president, as appropriate.

d. The Committee shall review the proposed management plan and make recommendations on its use based upon its evaluation of the management plan's probable effectiveness in managing the conflict of interest in employment. The Committee's evaluation will include but not be limited to consideration of the plan's effectiveness in providing for objective decision making, creating and maintaining an atmosphere of equity and fairness, providing consistency in the treatment of employees, and allowing for the effective and efficient operation of the unit(s) in which the related individuals are employed. Where appropriate, the Committee also may recommend modifications to or rejection of the proposed management plan.

e. The recommendations of the Committee shall be made to the University officer having responsibility for final approval of the employment status decision. This officer shall make the decision concerning implementation of the management plan. If that officer is involved in the conflict of interest, the decision will be made by the President or the Board of Regents as appropriate.

f. The Committee shall evaluate, periodically as it determines, or upon request of any individual who believes s/he is affected adversely by the management plan, the effectiveness of the established plan created to manage the conflict of interest in employment. The Committee's evaluation and recommendations for continuations, revisions, or rejection of the management plan shall be submitted to the vice president or other official who approved the implementation of the plan.

8.7 Scope of Policy

These provisions apply to related individuals whose relationship is current or former when these rules are adopted or at the time they seek employment by the University, or arises after the date of their employment by the University.

This policy applies to both full-time and part-time, regular and temporary faculty and staff, and to students and persons with fellowships which involve employment at the University. It does not apply, however, in cases where the individual over whom the other individual has responsibilities to make decisions or recommendations related to employment is compensated in the amount of $1,800 or less in any fiscal year.

(Note: This policy applies only to employment relationships. Romantic and/or sexual relationships between faculty and students in the instructional context are governed by II-5 Policy on Consensual Relationships Involving Students.)

8.8 When a Management Plan Cannot Be Developed

The development of a plan to manage a conflict of interest in employment should proceed expeditiously. In the event that an acceptable management plan cannot be developed, despite diligent efforts on the part of the first neutral supervisor or other designated person, within six months of the notification of the relationship of the related individuals, one of them must give up his or her position at the University (preferably through transfer) not later than one year after notification of the conflict.

8.9 Committee on the Conflict of Interest in Employment

The Committee shall consist of four members appointed by the Faculty Senate and three members appointed by the Staff Council. Members of the Committee shall be appointed for staggered three-year terms but no person may be appointed for more than two consecutive terms. The Associate Provost for Faculty and the Chief Human Resources Officer or their designees shall serve as co-chairs of the Committee. Decisions of the Committee shall be by majority vote of the Committee members voting on the decision. Committee members shall not participate in the development and approval of a management plan or the oversight of a management plan if a) they are related to either of the related individuals; b) they participated in the development of the management plan in their unit of employment; c) their conditions of employment could be affected by a management plan; or d) some other conflict of interest exists.

All meetings and deliberations of the Committee shall be confidential and all written materials reviewed by the Committee or other persons involved in the development of a management plan, shall be considered part of the personnel files of the related individuals, and also shall be confidential. One of the Committee's co-chairs shall keep on file the Committee's official copy of all management plans. Any information disclosed by either of the related individuals for the purpose of developing the management plan shall be used solely for that purpose. However, faculty, staff, and students who are in a position to be affected significantly by a conflict of interest in employment shall be informed of the existence of the management plan, and shall be provided with information regarding the appropriate person(s) to whom they may bring relevant concerns. In most cases, this will be the first neutral supervisor for faculty and staff, although departmental human resource representatives or the Director of Undergraduate or Graduate Studies may be the more appropriate person for staff and students, respectively, in some units.

8.10 Complaints of Policy Violations

(Amended 4/17)

All complaints regarding violations of this policy shall be referred (for faculty) to the Executive Vice President and Provost, or (for staff) to the Chief Human Rights Officer. If the Executive Vice President and Provost or the Chief Human Rights Officer receives a specific and credible complaint from any source that a conflict-of-interest-in-employment relationship exists, he or she shall investigate the matter immediately in order to determine whether any conflict of interest in employment exists and, if so, whether a management plan is in place. Because of the sensitive nature of this type of complaint, any investigation shall only be undertaken personally by the Executive Vice President and Provost, appropriate vice president, or associate provost or associate vice president and shall not be delegated to another. If he or she determines that a conflict exists but that no management plan has been implemented, he or she shall identify the first neutral supervisor for the purpose of developing an appropriate management plan. If he or she determines that no such relationship exists, or that it does exist but that an appropriate management plan is in place, he or she shall so advise the complainant.

8.11 Grievance

(Amended 7/1/17)

Employees who wish to challenge administrative actions that are taken pursuant to this policy may do so following the appropriate policy for their employment status: specifically, for faculty, the Faculty Dispute Procedures (III-29); for staff, III-28 Conflict Management Resources for University Staff.

8.12 Policy Violations and Resulting Disciplinary Actions

(Amended 7/1/17)

Violations of this policy may include but are not limited to concealing a conflict-of-interest relationship or willful failure or refusal to cooperate with an approved management plan. Violations of this policy are deemed a serious violation of policies governing employment and may subject the employee to disciplinary action.

Any proposed disciplinary actions resulting from violations of this policy:

a. by persons holding faculty appointments will be governed by III-29 Faculty Dispute Procedures and the portion of the procedures dealing with faculty ethics (III-15);

b. by staff members will be governed by applicable Regent Merit System Rules and University policies, including III-16 Ethics and Responsibility Statement for University Staff, and the applicable grievance procedures, including III-28 Conflict Management Resources for University Staff.

(See also II-18 Conflicts of Commitment and Interest.)

III. Human Resources

Chapter 9 – Hiring and Appointments

(Amended 6/1/03; 3/04; 3/05; 4/05; 12/1/05; 1/06; 1/08; 3/08; 10/11: 3/12; 8/12; 1/14/13; 5/14; 7/15; 8/15; 2/16; 11/16; 7/1/17)

9.1 Appointments, General

(Amended 9/93; 6/24/94; 9/97; 5/00; 3/02; 5/03; 3/04; 1/06)

It is the responsibility of the departmental executive officer or a designee to make certain that prior to any commitment of appointment, the new appointee has a clear understanding of the terms of employment and working conditions.

Notices of new appointments, changes in status or terminations reaching by the close of business on the 20th of the month are processed for payment or adjustment during that month.

Departments are expected to make recommendations of new appointments and changes in status as soon as it is possible for them to do so regardless of the deadline, and in no case later than the effective date thereof. The processing of such recommendations before they are reported to Human Resources may take considerable time and should be originated well in advance of the deadline to assure prompt payment.

a. Policy. Appointments shall be made with due consideration of the affirmative action guidelines for the University as expressed in the President's policy statements; Title VII of the Civil Rights Act of 1964 and the Civil Rights Act of 1991 (IC 216) as amended in regard to discrimination in employment; other applicable federal and state law; and other relevant Board of Regents, State of Iowa, and University of Iowa policies and procedures.

b. Employment eligibility. All newly appointed University employees must have their identity and their eligibility to work in the United States verified. The United States Citizenship and Immigration Services (USCIS), formerly known as Immigration and Naturalization Service (INS), Form I-9 is used to verify the employee's identify and eligibility to work.

   The I-9 form must be completed by the third day of employment. Failure to complete the I-9 form in a timely manner or at all may subject the hiring department to penalties and fines from the federal government for failing to provide proof of work authorization. If a person is appointed who is not eligible to work, his or her employment must be terminated immediately upon learning he or she is not authorized to work. It is the hiring department's responsibility to ensure that a completed I-9 form is submitted to the Payroll Office.

c. Teaching, research, administrative, and professional staff. The appointments of vice presidents, provosts, deans, directors of major administrative units such as University Hospitals and Clinics, the Business Manager and Treasurer, and the Controller and Secretary are recommended by the President and approved by the Board of Regents. Initial appointments of assistant and associate deans and vice presidents, and directors of major administrative units, such as The University of Iowa Hospitals and Clinics, are reported to the Board of Regents before being appointed by the President upon the recommendation of the appropriate administrative officer. Initial appointments or promotions to positions of tenure are recommended by the appropriate administrative officer, approved by the President and are reported to the Board of Regents. Recommendations for appointment of other personnel are made by the appropriate administrative officer and approved by the President.

Recommendation of appointment or change in status forms are available on the HRIS HR Web Central Transaction System. These forms, carrying the proper signatures, are forwarded through regular administrative channels. Approval by the Executive Vice President and Provost in the case of faculty, and by the Chief Human Resources Officer for all other staff members, constitutes approval of the personal qualifications of the prospective appointee, but does not constitute approval of the fiscal arrangements. Approval of such recommendations by the President is required prior to the effective date of the appointment or the change.

Payroll checks are issued by the Payroll Office on the basis of the finally approved departmental recommendations without further notifications from departmental executive officers.

(See also III-8 Conflict of Interest in Employment.)

9.2 Credential Check at Point of Hire

(6/1/03; 9/03; 1/08; 5/14)

a. Focus of check.

   (1) Merit staff (temporary or regular):

      (a) All hires in classifications that require a specific certification or license.

      (b) Specific hires where the hiring selection was influenced by the representation of a higher education degree, certification, or license.

   (2) Professional and scientific staff (temporary or regular): All hires.

   (3) Faculty (temporary or regular): All hires.

b. Scope of check. In all cases, departments check the degrees, certifications, or licenses[1] that either are relevant to a hiring selection or that influences the setting of a salary. In most cases, departments need only check the highest-level credential represented on the candidate's resume or application. However, in some cases because of the position requirements, it is necessary to check the highest-level credential and/or the most directly relevant or any required credential related to a hiring decision.

c. Notice and timing of check.

   (1) Candidates are informed during the interview stage that employment at The University of Iowa is contingent on a successful check of their credentials. This allows candidates to provide clarifying information, e.g., a degree obtained under a different last name. Departments secure a signed release from each candidate at the close of the interview. This permits the department to check credentials through a variety of methods including Degree Verify, the National Student Clearinghouse's electronic database. The release form can be downloaded at http://hr.uiowa.edu/files/hr.uiowa.edu/files/credential.pdf.

   (2) If the offer letter is given to the candidate of choice prior to completion of the credential check, the offer letter reiterates that a credential check is being conducted and that University of Iowa employment is contingent on a successful outcome.

   (3) Credential checks are conducted immediately upon selection of the candidate(s) of choice and submitted for verification no later than 15 days following the candidate's first day of employment.

d. Acceptable methodologies. Departments may use the following methodologies to carry out a credential check.

   (1) For verification of license or certification:

(a) Verification through contacting the granting institution, or

(b) Verification through visual inspection of original certification or license.

(2) For verification of academic degree:

(a) Verification through the National Student Clearinghouse's electronic database, Degree Verify.[2] Verification via this method must be attempted before contacting the granting institution.

(b) If Degree Verify cannot verify a candidate's degree for any reason, including the granting institution is not included in Degree Verify's database, the hiring department may contact the granting institution directly. For faculty hires, if the contact is made by telephone, a dated, signed memo of the contact should be prepared by the person making the inquiry (countersigned by the DEO if he or she was not the inquirer), stating the name of the office and the name and title of the person who provided the verification.

(c) If Degree Verify cannot verify and a granting institution is not willing to release the information, then visual inspection of the original diploma or certified copy of a transcript may be used.

(3) Additional verification methods for faculty hires:

(a) A letter from the granting institution's graduate college, professional college, registrar, or other institutional office certifying that the candidate has received the degree or completed all of the requirements for the degree.

(b) A letter of reference on the granting institution's letterhead from the applicant's major adviser or department chair which includes language that clearly indicates that the candidate has received the degree or completed all of the requirements for the degree.

Note: Verification of professional credentials for faculty health care providers by one University of Iowa unit need not be redone by another (e.g., if M.D. degrees have been verified by the UIHC, a college may use their verification)

Colleges may set more stringent requirements, for example, disallowing verification by phone or requiring that a letter of reference from the major adviser is acceptable only if it states that the degree has been granted.

e. Documentation and record keeping.

(1) Departments list credentials on the Human Resources transaction (appointment or transfer) and identify whether a credential check has been completed. If the check is complete, the list also indicates which credentials were verified as relevant to the hiring selection or the setting of salary.

(2) Human Resources Information Systems (HRIS) departmental reports indicate incomplete credential checks. Colleges, divisions, units and departments are responsible for reviewing credential checks reports on a biweekly basis.

(3) All supporting documentation is be kept at the departmental level in the interview file, and in the event the candidate is hired, in the personnel file.

f. Falsification of credentials.

(1) Departments who believe a candidate has misrepresented a credential discuss the discrepancy with the candidate to provide a reasonable opportunity for the individual to provide clarifying information.

(2) If upon further review, it is the hiring department's judgment that a material misrepresentation has occurred, such that the candidate should no longer be considered for employment, or if already employed should be terminated, the department informs their Human Resources senior leadership representative (or dean, in the case of faculty) immediately. This person consults with University Human Resources (or the Office of the Executive Vice President and Provost in the case of faculty) and/or General Counsel before taking negative action.

(3) The disqualified candidate/employee is informed in writing of such action.

(4) If a disqualified candidate/employee seeks future employment at The University of Iowa, University Human Resources (or the Office of the Executive Vice President and Provost in the case of faculty) may inform the new hiring department. It is the responsibility of the hiring department to take into consideration this information in evaluating the candidate/employee.

g. Credentials acquired post-hire or corrections to existing information.

(1) If employees request a change in the HRIS credentials listing at any time post-hire, they notify the department, which then must verify the change per the methodologies identified above.

(2) When changing faculty credential information, a copy of the verification document should also be provided to the Associate Provost for Faculty, 111 Jessup Hall.

Footnotes

1. Includes driver's license when required for completion of duties. Verification can be completed through Risk Management.

2. Degree Verify is an electronic service sponsored by the National Student Clearinghouse that provides verification of higher education degrees. The Clearinghouse is a non-profit corporation, established in 1993, with an original mission to assist schools in their obligations to report student enrollment status. It has expanded its mission to degree verification. Verification can be completed at their website 24 hours per day/7 days per week. Typically, the response is immediate. However, if a degree pre-dates a participating school's electronic records, the response will typically take up to 24 hours.

9.3 Criminal Background Check at Point of Hire

(12/1/05; 3/08; 1/14/13; 11/13; 7/15; 8/15)

a. Purpose of policy. To protect the University, its faculty, staff, and students, and members of the public who have dealings with the University from suffering physical, emotional, and financial harm while also protecting the privacy of individuals who apply to University positions. The policy enables the University to refuse to hire any individual with a criminal conviction that relates to the position for which that person has applied in such a way that hiring the person would be judged an unacceptable risk. Furthermore, the policy is designed to comply with federal and state regulations regarding certain types of positions.

b. Criminal background checks (CBCs) are obtained for all regular merit, professional and scientific, and faculty positions at the time candidates are selected for hire per paragraph

e(2) below. Candidates for temporary merit, professional and scientific, fixed-term faculty, and student staff (including graduate teaching and research assistant) positions that have been designated security sensitive by the appropriate dean or vice president also are checked at the time of hire. Background check processes for some positions (such as those within the Department of Public Safety) are dictated by law or regulation. This policy is not intended to supplant any such external background check requirements.

c. Criteria and process for determining whether a temporary, fixed-term, or student staff position is security sensitive. There are two steps in determining whether a temporary or student staff position should be designated as security sensitive, thereby requiring a CBC:

(1) At the time of a temporary staff, fixed-term faculty, or student staff vacancy, positions shall be evaluated by the hiring department in consultation with the senior human resources (HR) leadership representative or associate dean in each college or division, and a written recommendation shall be made to the appropriate dean or vice president providing specific justification for the determination that the duties and responsibilities are such that the position should be designated security sensitive. The dean or vice president shall determine whether or not the position is security sensitive and, if so, then the position shall be so indicated on the requisition. For fixed-term faculty positions, such determination shall be made also in consultation with the Office of the Executive Vice President and Provost.

(2) At a minimum, the domains listed below should be considered for their relevance to the position; other domains also may be relevant.

(3) If a domain is considered relevant to a particular position, then a determination must be made regarding whether the access, contact, or responsibility is of such a level that the University or persons in the University community would be at sufficient risk that a mandatory CBC on selected candidates for the position is warranted.

(4) Domains to be considered:

(a) access to secured or sensitive areas including, but not limited to, those containing cash or financial receipts;

(b) access to select agents (biological agents or toxins) and/or controlled substances;

(c) patient and/or child and/or dependent adult population contact, not including University students who are under the age of 18 (see also *Youth Programs Policy Manual* and Sports Camps and Clinics Compliance Manual);

(d) cash/check handling and/or processing responsibilities;

(e) financial management and/or payroll processing responsibilities;

(f) security responsibilities;

(g) performance of duties related to critical infrastructure services or significant health or safety responsibilities;

(h) access to information technology: "root" or "administrator" access level to enterprise systems; "administrator" access level to institutional databases; unsupervised physical access to critical infrastructure services or systems such as telephone switch equipment, networking routers and switches, and data centers;

(i) supervisory duties related to the above.

d. Scope of check. The senior HR leadership representative in each college or division shall use the designated University vendor to verify social security number and conduct a CBC to include all counties and states of residence for the past seven years. As appropriate in individual instances, an alternate designated by the vice president or dean or, in the case of faculty, the Associate Provost for Faculty, may conduct the check. Background checks for access to select agents will be conducted by the Department of Justice.

e. Designation, notice, and timing of check.

(1) Applicants subject to the CBC requirement shall be informed either in the advertisements for the position or when the applicant formally applies for the position that employment at The University of Iowa is contingent on a declaration of conviction history and a successful CBC.

(2) When a department has selected (a) candidate(s) to whom to make an offer, the department shall ask the candidate(s) to complete a notification and authorization for release of information either electronically or via hard copy. (When using hard copy, a stamped and addressed envelope should be provided for this purpose.) This includes their conviction history and is sent to the senior HR leadership representative or, alternatively, for faculty, to the Associate Provost for Faculty. Refusal to complete and sign the release may constitute grounds for withdrawal of the offer or termination of employment. The candidate(s) are reminded that the background check will now be conducted.

(3) The senior HR leadership representative shall conduct (a) CBC(s) through the designated University vendor upon selection of the candidate(s) of choice and shall submit a request to the vendor for a standard check as soon as practicably possible but in any event no later than 15 days following the candidate's first day of employment. A more comprehensive check may require a longer period of time. In the case of faculty, the Associate Provost for Faculty may conduct the check.

(4) If the offer letter is given to the candidate of choice prior to completion of the background check, the offer letter shall reiterate that a CBC is being conducted and that University of Iowa employment is contingent on its successful outcome.

f. Documentation and record keeping.

(1) Departments shall identify on the human resources transaction (appointment or transfer) whether the CBC is required and, if so, whether it has been completed.

(2) Human Resources Information System departmental reports will indicate incomplete CBCs. Senior HR leadership representatives are responsible for reviewing these CBC reports every two weeks and acting appropriately on incomplete checks to ensure completion of the CBC.

(3) The declaration form and materials acquired through a criminal background check shall be retained by the University only for those candidates who are hired or those who are not hired based on information acquired via the form or the background check.

(4) The Offices of the General Counsel, UI Healh Care HR, and, in the case of Carver College of Medicine faculty, the collegiate dean's office shall maintain all acquired and supporting documentation in a confidential and secure location. Such records shall be retained for ten years.

(5) All acquired and supporting documentation is confidential information, and individuals other than the applicant/employee requesting access must provide a compelling justification. The General Counsel, President, UI Health Care HR, or designee(s) shall determine whether a request for access to acquired and supporting documentation shall be granted.

(6) Every three years, University Human Resources, the Office of the Executive Vice President and Provost, and the Office of Equal Opportunity and Diversity will

conduct an audit on positions checked and scope of checks to ensure reasonable consistency between colleges and divisions and to assess potential disparate impact for members of protected groups.

g. Existence of a criminal record.

(1) Subject to the circumstance described below, when the background check reflects a criminal conviction, the senior HR leadership representative, in consultation with University HR and the Office of the General Counsel; or, in the case of UI Health Care, in consultation with the Director, UI Health Care Employee and Labor Relations and, as appropriate, the Office of the General Counsel; or, in the case of faculty, the Office of the Executive Vice President and Provost and the Office of the General Counsel shall evaluate the conviction to determine whether it is relevant to the specific job responsibilities of the position and whether hiring the person may constitute an unacceptable risk. Specifically, the University will consider the nature, gravity, recency and frequency of convictions and the nature of the job duties. University HR, the Office of the General Counsel, and the Office of the Executive Vice President and Provost, in consultation with the senior HR leadership representatives, may establish guidelines authorizing the senior HR leadership representative to approve a hire without consulting the designated central administration offices in cases where a single, minor conviction is discovered. All records relating to the CBC in the University's possession are not considered a public record and shall be treated as a confidential personnel record.

(2) If a preliminary judgment is made that the conviction has sufficient nexus to the position and that the hire may present an unacceptable risk such that further consideration is warranted, this information shall be discussed with the candidate to give the candidate a reasonable opportunity to provide clarifying information. Typically, the candidate will be contacted by the senior HR leadership representative or the Office of the Executive Vice President and Provost.

(3) After the candidate has provided clarifying information (or has not done so after having had a reasonable opportunity to do so), the senior HR leadership representative shall present the evaluation of the information to University Human Resources or, in the case of faculty, the Office of the Executive Vice President and Provost, and the Office of the General Counsel prior to presenting the information to the dean or vice president. The dean or vice president shall then make a recommendation to University Human Resources (or the Office of the Executive Vice President and Provost, in the case of faculty) regarding whether the conviction is sufficiently closely related to the position and whether hiring the person may constitute an unacceptable risk such that denial of employment is warranted. University Human Resources or, in the case of faculty, the Office of the Executive Vice President and Provost shall make the final decision on this issue in consultation with the college or division, as appropriate.

(4) If the final decision is that the conviction has significant nexus to the position and that the hire may present an unacceptable risk such that the candidate will no longer be considered for employment, or if already employed should be terminated, the senior HR leadership representative or the dean/vice president shall provide written notification to the candidate/employee immediately.

9.4 Filling Open Merit Positions

To employ Merit System staff, departments should notify Human Resources by means of the Personnel Requisition.

(See also http://hr.uiowa.edu/files/hr.uiowa.edu/files/meritreq.pdf.)

9.5 Recruitment Among Big Ten Academic Alliance Institutions

(President 1/7/63; amended 2/98; 11/14; 11/16)

The presidents of the fourteen institutions which are members of the Big Ten Academic Alliance (Illinois, Indiana, Iowa, Maryland, Michigan, Michigan State, Minnesota, Nebraska, Northwestern, Ohio State, Penn State, Purdue, Rutgers, and Wisconsin) have fixed May 1 of each year as the date after which offers for faculty cannot be made by one BTAA institution to the faculty of another BTAA institution without the latter's consent.

The resolution reads as follows: "Inquiries about an individual's interest in and conversations concerning a new full-time, academic appointment are in order at any time of the year, but after May 1, an offer for an appointment at the assistant professor level or above, to take effect in the next academic year, will not be made unless the administrative head (usually the dean or his designated substitute) of the offering college, school, or institute, etc., has determined that the date at which the appointment is to take effect is agreeable to the administrative head of the college, school or institute, etc., which the individual will be leaving if he accepts the new appointment."

9.6 Affirmative Action Employment Guidelines

(Provost 3/6/72; 9/93; 9/97; 9/02; 3/04; 5/04; 11/04; 2/16)

The guidelines below are followed in the filling of all open positions:

a. Records of efforts made to locate qualified women and minority group members (e.g., individuals contacted, published notices, and copies of letters) are kept by office and departmental administrative personnel for review.

b. Notices.

(1) Notices of available positions are published in local, regional, and national publications/websites where appropriate.

(2) Notices may not specify any preference, limitation, or specification based on sex unless sex is a bona fide occupational qualification for the available position.

(3) Equal Employment Opportunity (EEO) Tagline. To ensure compliance with federal regulations of the U.S. Department of Labor's Office of Federal Contract Compliance Programs (OFCCP), University departments shall include the following EEO tagline in all new external job announcements, advertisements, postings, and solicitations for nominations for all employment vacancies at The University of Iowa. The University's Jobs@UIOWA website, and any other job portal website utilized by The University of Iowa, shall also include the following EEO tagline:

> "The University of Iowa is an equal opportunity/affirmative action employer. All qualified applicants are encouraged to apply and will receive consideration for employment free from discrimination on the basis of race, creed, color, religion, national origin, age, sex, pregnancy, disability, genetic information, status as a U.S. veteran, service in the U.S. military, sexual orientation, gender identity, associational preferences, or any other classification that deprives the person of consideration as an individual."

Questions regarding the appropriate usage of the EEO tagline may be directed to the Office of Equal Opportunity and Diversity, 202 Jessup Hall, diversity@uiowa.edu, 319-335-0705.

(4) A professional and scientific or administrative position is requested from Human Resources, after which it is advertised for a minimum of ten business days. Departments are notified of the earliest date on which the position may be filled. A Merit System position is requested from Human Resources after which it is

advertised for a minimum of five business days.

(5) Creation of professional and scientific staff positions is accomplished by submitting the appropriate requisition through Employee Self Service for review and approval. Faculty and professional and scientific positions that are 50 percent or more time and extend for one year or more require a search which must comply with the affirmative action procedures at the University. Please consult the Office of Equal Opportunity and Diversity's Recruitment Manual for faculty and professional and scientific searches or contact the Office of Equal Opportunity and Diversity for more information about search requirements and procedures.

c. Application and appointment forms do not require different information for men and women.

d. Information requested during interviews is the same for both male and female candidates.

e. Salaries are determined on the basis of merit only. Such factors as marital status, number of dependents, spouse's income or other sources of income are not considered in setting salaries.

f. Employment of relatives. See III-8 Conflict of Interest in Employment (Nepotism).

g. Affirmative Action and Tenure. See III-10.1 Tenure and Non-Tenure Appointments.

h. Employment of individuals with disabilities.

(1) Applicable federal and state law prohibits discrimination against qualified individuals with disabilities in employment practices such as job application procedures, hiring, promotion, discharge, compensation, training, benefits, and other conditions of employment. See also II-7 Disability Protection Policy. For more information about accommodations and about when an essential job functions analysis is required, please contact University Faculty and Staff Disability Services.

(2) For information about job application and employment of individuals with disabilities, see https://hr.uiowa.edu/fsds.

(3) For inquiries about and complaints of discrimination, see https://diversity.uiowa.edu/report-concern.

i. Temporary appointments.

(1) A temporary appointment is considered a short-term appointment to meet an emergency, such as when a position is vacated unexpectedly, or to meet temporary needs of the University. Temporary appointments may be made for one year or less to a faculty or professional and scientific position that is 50 percent (1040 hours) or more time without the requirement of an affirmative action search. Affirmative action searches are not required for faculty or professional and scientific positions that are less than 50 percent time (1040 hours), regardless of the length of appointment. Temporary appointments of less than 50 percent (1040 hours) will not be subject to the one-year appointment limitation.

(2) If during the term of the 50 percent (1040 hours) or greater temporary appointment the department anticipates the position extending beyond one year, then an affirmative action search must be completed as soon as possible and no later than within one year of the start of the initial temporary appointment. An affirmative action search also must be completed in the event that a temporary appointment of less than 50 percent (1040 hours) is increased to 50 percent (1040 hours) or more time and is expected to extend beyond the initial one-year temporary appointment. Exceptions include appointment in classifications designated on an annual basis by Compensation and Classification as experiencing a labor shortage.

(3) Limited extensions of temporary appointments of 50 percent (1040 hours) or more time beyond one year are permitted in extenuating circumstances with the prior approval of the Office of Equal Opportunity and Diversity.

(4) Temporary appointments held by retirees are subject to the standards outlined above, with the exception of those classifications designated on an annual basis by Compensation and Classification to be experiencing a labor shortage.

(5) The Office of Equal Opportunity and Diversity establishes search procedures for affirmative action searches. Contact the Office of Equal Opportunity and Diversity for more information about search procedures.

Review

THE AMERICANS WITH DISABILITIES ACT (ADA)
(Adapted from the U.S. Equal Employment Opportunity Commission and the U.S. Department of Justice Civil Rights Division)

1. Who qualifies as a disabled individual under the ADA?
The ADA defines an individual with a disability as a person who:

a. has a physical or mental impairment that substantially limits one or more major life activities;

b. has a record of such an impairment; or

c. is regarded as having such an impairment.

Major life activities include caring for oneself, performing manual tasks, walking, seeing, hearing, speaking, breathing, learning, and working.

2. What practices and activities are covered by the employment nondiscrimination requirements of the ADA?
The ADA prohibits discrimination in all employment practices including job application procedures, hiring, firing, promotion, compensation, training, and other terms, conditions, and privileges of employment. It applies to recruitment, advertising, tenure, layoff, leave, fringe benefits, and all other employment-related activities.

3. Does an employer have to give preference to a qualified applicant with a disability over other applicants?
No. An employer is free to select the most qualified applicant available and to make decisions based on reasons unrelated to disability.

4. What is "reasonable accommodation"?
Reasonable accommodation is any modification or adjustment that will enable a qualified applicant or employee with a disability to participate in the application process or to perform essential job functions. Reasonable accommodation also includes adjustments to assure that a qualified individual with a disability has rights and privileges in employment equal to those of employees without disabilities.

5. When is an accommodation unreasonable?

An employer is not required to implement any accommodation that would impose an undue hardship. An undue hardship is an action or accommodation that would require significant difficulty or expense in relation to the size of the employer. If it is found that a particular accommodation would impose an undue hardship, the employer must consider whether there are alternative accommodations that would not impose such hardship.

6. What about health and safety standards?
The ADA permits employers to establish qualification standards that exclude individuals who pose a direct threat — i.e., a significant risk of substantial harm — to the health or safety of the individual or of others, if that risk cannot be eliminated or reduced below the level of a "direct threat" by reasonable accommodation. The employer must establish through objective, medically supportable methods that there is significant risk that substantial harm could occur in the workplace.

The ADA recognizes the need to balance the interests of people with disabilities with the legitimate interests of employers in maintaining a safe workplace. That goal is realized by requiring employers to make individualized judgments based on reliable medical or other objective evidence rather than on generalizations, ignorance, fear, patronizing attitudes, or stereotypes.

7. What about performance standards?
In the performance of essential job functions, with or without reasonable accommodations, an employer can hold employees with disabilities to the same standards of production/performance as other similarly situated employees without disabilities.

8. What impact does the ADA have on interviewing practices?
The ADA prohibits employers from asking a job applicant any questions that would cause the applicant to disclose a disability or medical condition. Interview questions must focus on the applicant's ability to perform the essential functions of the job. Interviewers may not ask an applicant if he or she has a disability or needs an accommodation to perform the essential functions of the job. If the applicant volunteers that he or she needs an accommodation to perform the essential functions of the job, an interviewer may ask about the type of accommodation needed by the applicant. The interviewer may not, however, ask any follow-up questions about the applicant's disability or medical condition.

See also II-1, II-7, and II-8.

9.7 (Reserved for future use)

9.8 Diversity in Employment Guidelines
(4/05; 3/12; 8/12; 7/1/17)

The guidelines below are followed in the filling of all positions for executive/administrative/managerial staff at pay level 6 or higher in the professional and scientific classification system and for faculty appointments with significant administrative responsibilities:

As a requisite job qualification, a statement must be included in the position announcement that candidates and/or applicants be able to demonstrate job-related experience with and/or commitment to diversity in the work/academic environment.

Examples of language that may be used in advertisements to satisfy this requirement are listed on the Office of Equal Opportunity and Diversity's website at https://diversity.uiowa.edu/creating-requisitionrecruitment-plan.

For further information, contact the Office of Equal Opportunity and Diversity, 202 Jessup Hall, or see https://diversity.uiowa.edu/office/equal-opportunity-and-diversity.

(See also III-9.6 Affirmative Action Employment Guidelines.)

III. Human Resources

Chapter 10 – Faculty

10.1 Tenure and Non-Tenure Appointments

(Amended 9/93; 2/15/95; 2/01; 1/02; 4/05; 5/07; 9/08; Faculty Senate 10/18/11; 4/13)

a. Statement on tenure and academic vitality at The University of Iowa (Regents 2/14/74).

(1) Introduction. From the end of World War II until the late 1960s, higher education in the United States experienced rapidly expanding student demand coupled with an even more rapid expansion of the world's knowledge base. Throughout this period, faculties and facilities increased constantly and substantially in an effort to keep pace with the enlarging student bodies. The twenty-year period involved was among the most exciting and vital in the history of higher education. As younger, recently trained faculty members came to campuses all over the country, their energy and enthusiasm contributed greatly to the academic vitality of higher education.

Student demand for higher education has leveled off and is likely to remain level for some years to come. With the leveling off of student demand, the influx of new faculty members has diminished. The challenge facing The University of Iowa — along with all similar institutions — is to retain and increase its academic vitality and flexibility in a period of a relatively stable student body and faculty. The challenge is not new to American higher education which previously has had to maintain its vitality in times of stable enrollments and faculty.

(2) Basic Premises. The basic assumptions on which The University of Iowa proposes to function over the next several years are: First, tenure will continue as a cornerstone of the University's relationship with faculty members. Tenure is not only consistent with academic vitality but essential to it. Second, consistent with the University's educational needs and as permitted by its resources, faculty members in probationary status will be given the opportunity to acquire tenure if their performance merits tenure. No system of tenure quotas is contemplated. Third, the University must provide mechanisms by which a varied group of new faculty members come to the University so that the institution may continuously revitalize itself. Fourth, the University will retain the flexibility to adjust its educational programs to meet the changing needs of students and society, and to take into account advances in the world's knowledge base. In the process of making such adjustments, every effort will be made to plan well in advance and the faculty will play a major role in defining institutional needs in the process of departmental, collegiate, and University decision-making.

Tenure is not a very well-understood concept. If a university is to perform its function effectively, it is essential that faculty members in their teaching and research feel free to express new ideas and divergent viewpoints. In the process of teaching and research, accepted "truths" often must be challenged and questioned. A good university must create an atmosphere which, in a positive way, encourages faculty members to express new ideas and divergent viewpoints and to make inquiries unbounded by present norms. Such an atmosphere currently exists at The University of Iowa; and tenure has contributed substantially to the creation of this atmosphere and to its continuance. Put simply, free inquiry and expression are essential to the maintenance of excellence; tenure is essential to free inquiry and expression; The University of Iowa's consistent goal is excellence; and the tenure system must continue if the University is to recruit and maintain a distinguished faculty. While tenure would be an integral part of the University's relationship with the faculty without regard to the competitive situation, it also is important to note that the outstanding universities throughout the country have tenure systems and that The University of Iowa's competitive position as it attempts to recruit and to retain outstanding faculty members would be damaged beyond repair if tenure were abandoned or seriously weakened.

As a job security system, tenure is not substantially different from the job security aspects of civil service systems for state and federal employees; nor are they very different from job protection provisions in union contracts generally. The probationary period preceding the granting of tenure is, of course, longer than similar periods under civil service systems and union contracts — five or six years as opposed to six months or one year. Once the probationary period has passed, all of the systems contemplate job security only to the extent that either resources permit or the need for the services continue to exist, or both; and before the employment relationship of such personnel can be terminated for inadequate performance, all of the systems require a showing of adequate cause (inadequate performance) at a hearing. In addition, the tender of ultimate job security is an important mechanism for inducing qualified persons to aspire to careers in the area involved. While the job-security aspects of tenure bear surface relationship to other job-security systems, the primary rationale for tenure is that it is essential to the creation and maintenance of an atmosphere which encourages the free exchange of ideas so necessary to educational vitality.

(3) The tenured faculty. The cornerstone on which excellence has been created at The University of Iowa, both in periods of growth and stability, is its tenured faculty. The tenured faculty at The University of Iowa has never been stagnant. It contributes greatly to the University's vitality. It will continue to do so. As a general proposition, the excellence and vitality of the tenured faculty is motivated from within individual faculty members, and to some extent, from peer pressures. Some institutional mechanisms also have contributed and will continue to contribute to the vitality. Thus, the University, in consultation with faculty members, plans:

(a) To continue its present faculty compensation policy which rewards excellence;

(b) To expand its constant evaluation of teaching effectiveness of tenured as well as non-tenured faculty members and its explorations of mechanisms for improving such effectiveness;

(c) To continue in University-sponsored research a system of campus-wide peer review of research proposals and results to assure consistently high scholarly productivity by faculty members;

(d) To continue departmental, collegiate, and University-wide reviews and priority planning efforts to assure that resources are made available to new programs and to programs enjoying significant increases in student interest, or, where necessary, programs be modified, consolidated with other programs, or eliminated;

(e) To continue to review and evaluate the administrative structures within which educational programs function to assure that the educational goals of the University are being met as effectively as possible;

(f) To encourage the exchange of faculty with other universities on a visiting basis so that new ideas and approaches will be brought to the campus both by the visiting teachers from other institutions and by the Iowa professors upon their return to campus;

(g) To fill some existing teaching positions on a permanently rotating basis with persons from other institutions or professions for periods ranging from one or two weeks to a semester or a year;

(h) To encourage the development of team teaching of courses by combining senior and junior faculty members from the same department as well as interdisciplinary team teaching by faculty members from different departments;

(i) To encourage the expansion of the present program of faculty seminars in which faculty members learn from each other;

(j) To seek to expand the program of developmental leaves to encourage faculty members who wish assistance in keeping abreast of newly developed and developing knowledge and instructional approaches;

(k) To develop a system of tenure for part-time faculty members so that a faculty member might hold a tenured position at The University of Iowa for one semester and a position at some other university for the other semester; or hold a tenured position for one semester at the University and some other job — perhaps in industry — for the balance of the year, and so that the University might take advantage of the talents of persons who, while completely qualified to join the faculty and remain on it for a long period of time, are unable, for one reason or another, to work full time as a faculty member.

Other than internal pressures for excellence within individual faculty members and, perhaps peer pressure, the merit salary system is the most important mechanism available to the University for assuring the continued academic vitality of tenured faculty members. While the University does not control the total number of dollars available for faculty salary increases, it can and must control the allocation of dollars it has so that excellence may be rewarded. For many years, the University has stressed to the Board of Regents and to the Legislature that its top budgetary priority was salaries and that whatever was made available for faculty salaries would be awarded on a merit basis.

In establishing faculty salaries the University has attempted — not always successfully — to be competitive; and when funds have been available for salary increases, the effort consistently has been and will continue to be to reward meritorious performance. Continued teaching and research excellence, and to a lesser extent the quality of other major professional contributions to the University or to society in general, form the basis for salary increases as they do for promotion and tenure. While objective data should be considered in making salary judgments, and while the department's or college's particularized statement of expectations concerning teaching, research and other professional contributions should serve as primary guidelines, it should be understood that the judgments being made relate in large part to the quality of the faculty member's professional performance and such judgment cannot be quantified. A faculty salary system which recognizes merit will function to encourage a continued striving for excellence and one that also recognizes the need to recruit and retain the best available persons who will help keep the institution vital.

While the catalog of mechanisms available for encouraging continued high level performance by tenured faculty members is not complete, the list set forth does suggest that many patterns are available to encourage such performance. It should be emphasized again that more important to academic vitality than University programs to encourage it are the inner mechanisms within individual faculty members which "compel" a constant striving for excellence. These inner mechanisms have contributed most to making the University the excellent institution it is and with whatever encouragement is possible from the institution, these mechanisms will function to assure a continuation of excellence.

(4) Probationary faculty members. In establishing and maintaining a university of excellence and vitality, the most vital institutional decision points are the initial appointment, the reappointment review, and the time of the tenure decision. At each of these decision points, there must be University-wide review to assure adherence to University-wide standards.

(a) Initial appointment. When making an initial probationary appointment, the condition precedent must be a determination that the person being considered is of a quality that her or his performance is likely to lead to an affirmative tenure decision. Only if the record presented leads to such a conclusion should an initial offer be tendered. And after the initial appointment, probationary faculty should be reviewed annually with the results reported by the appropriate collegiate dean to the Executive Vice President and Provost on the form provided by the latter's office. Initiation of the annual review is the responsibility of the dean and DEO. It is expected that the annual review will be performed in consultation with the individual faculty member.

(b) Reappointment review (President 10/85; amended 2/01; 5/07). Most initial probationary appointments at The University of Iowa are for 1) three years for colleges having a collegiate norm to make a tenure decision of not more than six years, or 2) four years for any college having a collegiate norm to make a tenure decision of more than six years, at the end of which time the candidate can be reappointed following a reappointment review. See paragraph (c) below. With the approval of the DEO, the dean of the college, and the Executive Vice President and Provost shorter initial appointments can be made.

(c) Time in which to make tenure decision. The norm for making the tenure decision shall be the sixth year of probationary service, except for the Colleges of Law, Medicine, and Dentistry. The norm for the College of Law shall be the fifth year. The Colleges of Dentistry and Medicine may establish a norm of no more than eight years for all tenure track faculty members with significant patient care responsibilities. Other faculty in these two colleges will be subject to the six year norm. A new collegiate norm of more than six years must be approved by a majority of the tenured faculty of the respective college, the dean of the respective college, and the Executive Vice President and Provost. The new norm becomes effective upon approval by the Executive Vice President and Provost. Other colleges may request that the Faculty Senate authorize consideration of changes in their own collegiate norms.

(d) Joint or secondary appointment. If a faculty member has a joint appointment in two colleges with different probationary period norms, or has a secondary appointment in a college with a different probationary period norm, the norm for that faculty member will ordinarily be that of the primary department. If the norm of the secondary college is to be used, this must be agreed to by the faculty member, both DEOs, both deans, and the Executive Vice President and Provost; and the length of the probationary period must be stated in writing in either the offer letter or the memorandum of understanding that defines the terms of the joint appointment.

(e) Extensions.

(i) Automatic Extension: For each minor child (e.g., biological, adopted, stepchild, or by guardianship) added to the family of a probationary faculty member from two years prior to the initial appointment through September 1 of the tenure decision year, and upon relevant notification, the faculty member's probationary period shall be automatically extended twelve months per child (up to two children). Extensions for the addition of more than two children may be considered under the Discretionary Extensions provisions (e)(ii).

It is a faculty member's responsibility to notify his or her DEO, dean, or Provost of the relevant qualifying event that activates the automatic extension of the faculty member's tenure clock. The Provost's office shall remind probationary faculty annually of the extension policy and direct probationary faculty to a person in the Provost's office to whom they may provide the notification that activates the automatic extension. Probationary faculty may also provide the relevant notification through any other form of communication with their DEO, dean, or Provost. When providing the relevant notification, the faculty member shall provide the name(s) of the minor child(ren) and the date on which the child(ren) joined the family (e.g., birth

date, adoption date). This notification can be submitted at any time but, if the faculty member expects an automatic extension to be granted in what would otherwise have been the tenure decision year, notification must be submitted no later than the department or college deadline by which faculty members are expected to submit their dossiers for review. Upon receipt of the notice, the Associate Provost for Faculty shall issue a written acknowledgment to the dean, with copy to the probationary faculty member, confirming the extension and resetting the relevant tenure decision dates (e.g., for reappointment, tenure review).

To decline an automatic extension (i.e., have clock reset to the previous tenure review date), a faculty member must submit written notification to her or his DEO (when applicable) or dean. Notification can be submitted at any time but, if a faculty member wants to be considered for promotion in the upcoming academic year, notification must be submitted no later than the department or college deadline by which faculty members must notify their DEOs of their desire to be considered for voluntary review (i.e., review at any time prior to the required tenure review year). If such a date is not specified in a college's written procedures, the deadline for notification will be no later than the first day of the academic year in which the promotion decision is to be made. The DEO shall advance notice of the declination to the dean and the Executive Vice President and Provost. When a faculty member declines an automatic extension, her or his tenure clock is reset to its previous date and the tenure expectations remain the same as for probationary faculty members who did not decline or were not eligible for an extension. The Associate Provost for Faculty will issue a written confirmation of the declination, including the reset tenure clock date, to the dean, with copy to the probationary faculty member. Once declined, a faculty member is not able to reinstate an automatic extension for the same minor child. A faculty member with an extended tenure clock may request voluntary review (i.e., the option granted to all faculty members to request review before their official tenure year) without declining the automatic extension.

(ii) Discretionary Extension: The probationary period may be extended upon the mutual agreement of the probationary faculty member, the DEO (when applicable), the dean, and the Executive Vice President and Provost because of a professional or personal impediment, such as the assumption of additional teaching or clinical responsibilities above the normal load at the request of the department or college, the failure of the University to provide resources in a timely manner if the resources are promised in writing, personal health reasons, the assumption of significant ongoing care responsibilities for a spouse, domestic partner, or minor or adult child, or parent with a serious health problem, or because of the death of the faculty member's spouse, domestic partner, or minor or adult child. The faculty member is responsible for describing and documenting the unusually difficult circumstances posed by the impediment in her or his request.

Requests for Discretionary Extensions shall be submitted by the faculty member to the DEO (when applicable), who shall advance a recommendation to the dean for review, recommendation, and subsequent routing to the Executive Vice President and Provost for approval. The Associate Provost for Faculty will issue a written decision to the dean, with copy to the probationary faculty member, and, if approved, the written decision will include the new tenure decision dates. Generally, no extensions under this paragraph (e)(ii) shall extend the probationary period two years beyond what the period would have been, taking into account the relevant collegiate norm and any previously issued automatic or discretionary extensions.

(iii) When the probationary period of a faculty member is extended by one or more years, then the faculty member's reappointment and tenure review dates are postponed by the same number of years (e.g., a probationary faculty member who receives a one-year extension in his or her second year would have his or her "third year" review postponed one year to allow for a full three years of preparation; his or her tenure decision date would also be postponed by one year). Tenure expectations remain the same for probationary faculty members who have received an automatic or discretionary extension. The Office of the Executive Vice President and Provost shall annually notify probationary faculty members, DEOs, and deans of the existence of this policy.

(f) Impact of extensions on expectations of scholarship. No expansion of a faculty member's probationary period as a result of an extension under paragraph (e) above shall result in any increase in the quantity or quality of the probationary faculty member's expected scholarship from what would have been expected had that faculty member been considered for promotion or tenure in the final year of probationary service as defined by the collegiate norms.

(g) Prior related experience. In some cases, prior related experience coupled with excellence in teaching and research will warrant a shorter probationary period to be established at the time the faculty member is hired by the University.

(h) Establishment of norm. The establishment of a norm will permit a thorough evaluation and will give the faculty member sufficient time to establish a strong record of performance. A candidate for reappointment shall be evaluated in accordance with III-10.5b below. (See also III-29.5f(2).)

Annual reviews of the performance of probationary faculty members should be made and a full-scale departmental-collegiate review shall be made during the reappointment review conducted in the third or fourth year of service, depending upon the collegiate norm. See paragraph (4)(b) above. Reappointment reviews should take into account the faculty member's proven teaching effectiveness and research productivity and potential. It also should include an evaluation of departmental, collegiate, and University educational goals and include a determination of the likely role of the faculty member in achieving such goals. Only if an institutional need is found likely to exist for a person with the faculty member's substantive background, and only if the faculty member's teaching effectiveness and research productivity and potential are deemed of such a quality that an affirmative tenure decision is likely to be made, should something other than a terminal appointment be tendered. To assure unified decision making at this point, full central administration review of the departmental-collegiate recommendation is necessary.

(i) The tenure decision (President 10/85; amended 2/01; 4/06; 5/07). In making a tenure decision, teaching, research, and other professional contributions must be considered. Further, the institution's overall educational needs must be taken into account along with the institution's fiscal ability to support the position occupied by the faculty member. Thus, the tenure decision has two elements: 1) an evaluation of the actual performance of the individual involved; and 2) an evaluation of institutional needs — educational and fiscal. A candidate for tenure shall be evaluated in accordance with III-10.5b below. (See also III-29.5f(2).)

While the individual evaluation relates to teaching, research, and other professional contributions, the University's policy recognizes specifically that the first two elements — teaching and research — are the fundamental tasks of a faculty member. Although teaching is a faculty member's primary obligation, teaching and research are inextricably intertwined. Over a period of years, outstanding university teaching is unlikely to be maintained in the absence of strong research efforts by the faculty member. And university research — as distinguished from similar work off-campus — normally is stimulated and encouraged by the faculty member's teaching role.

The first step in a tenure decision should be an evaluation of teaching effectiveness. Only after an affirmative judgment as to teaching effectiveness is made should serious consideration be given to an evaluation of research competence. Unless a determination is made that the faculty member involved is an effective teacher — whether at the departmental or interdisciplinary level —tenure is not and should not be granted. Only after an affirmative decision as to teaching effectiveness is made should consideration be given to research. And only after both of the basic criteria are satisfied is an affirmative tenure decision possible. The University is committed to the proposition that neither teaching nor research standing alone justifies the granting of tenure. In the absence of research, it is believed — and strongly believed — that teaching effectiveness will not be maintained for a lifetime career. Thus, while teaching effectiveness is the condition precedent to a consideration of the quality of research, in the absence of quality research, teaching effectiveness alone will not permit the granting of tenure.

In summary, The University of Iowa is both a teaching and research institution, as all good universities are. Unless both tasks are accomplished, the University's vitality will be sapped and neither function will be performed well. As noted, the two functions cannot be separated. Unless a faculty member is able and willing to permit her or his ideas to be evaluated by peers, the faculty member is not performing fully the function assigned, and effective teaching is unlikely to continue.

Throughout the process of making a tenure decision, all concerned must recognize that an affirmative tenure decision is a prediction of future conduct, which prediction is based primarily on past performance. Unless those making the decision have a record of excellence before them — a record of excellence in both teaching and research — the prediction about the future is too uncertain to justify an affirmative decision. Any other premise is inconsistent with the "permanence" associated with tenure. The tenure decision is the most important quality control available to the University. And unless the record presented is one of excellence in both teaching and research, an affirmative prediction about the future is too uncertain to be tolerated. In making a tenure recommendation to the Board of Regents, the University must be taken as saying that its prediction is based on a record of excellence.

The process of making a tenure recommendation to the Board of Regents shall follow University and collegiate Procedures for Tenure and Promotion Decision Making at The University of Iowa. The process starts with a review of the faculty member's performance by the tenured members of the department involved, the review to be instituted by the DEO. While not all-controlling, an affirmative peer group recommendation is an almost necessary condition to the granting of tenure. Because of the significance of peer group recommendations, each academic unit is expected to develop and distribute to all departmental faculty members and to all persons under serious consideration for appointment to the faculty a written and particularized statement of expectations to guide departmental deliberations concerning the granting of tenure — the statement to serve as a guide to the department in its deliberations, and to the faculty member whose tenure status is being considered. The particularized statement must, of course, be consistent with University-wide policy relating to teaching, research, and other professional activities. In addition, all concerned should recognize that a decision relating to quality must be made and that such a decision can be quantified only in part. The nature of the decision is such that it necessarily is subjective to some extent.

Within the University administration, consultation occurs and the record and recommendations are examined carefully to assure that University standards have been met. As at all levels, educational goals, program changes, and fiscal needs must be taken into account and may lead to a decision to deny tenure despite a record of teaching and research accomplishment sufficient to support an affirmative decision on the basis of performance. At the departmental level, departmental educational goals and fiscal needs must be considered; at the collegiate level, collegiate educational goals and fiscal needs must be taken into account; and at the central level, overall University needs play a dominant role. To assure fairness to faculty members who are denied tenure or whose contracts are not renewed because of a shift in educational goals and/or financial resources, every reasonable effort should be made to give advance notice of possible shifts, and to protect the professional reputations of such faculty members. As part of that protection, the affected faculty member shall be given a written statement documenting the reason(s) for the decision. While changing educational goals and/or fiscal resources are a necessary consideration in the making of tenure decisions, such changes must not be asserted unless real, and they must not be used as a ground for denying tenure when, in fact, tenure is being denied for other, perhaps improper, reasons.

The final step, of course, is a University recommendation to the Board of Regents. The process is complex and difficult. Many of the ideas expressed above — uniform University-wide review of promotions and tenure, the insistence on "hard" data with respect to teaching effectiveness, careful review of research output — stem from a resolution adopted unanimously by the Faculty Senate in October of 1972 and codified substantially in University regulations. Fairness to all — the probationary faculty members, the students, the institution, and the State of Iowa — require the kind of review described above. The University's academic excellence and vitality require such a review.

(5) Tenure track faculty hired on or before the adoption by a college of a collegiate norm of more than six years (or more than five years in the College of Law) may elect to have a tenure decision made in accordance with any new collegiate norm adopted by the college pursuant to this section as amended in 2007. In the absence of an election, the collegiate norm for such tenure track faculty shall be six years (or five years in the College of Law). An election shall be made on or before the end of the third month following the adoption of a collegiate norm of more than six years. The election shall be in writing sent to the DEO, with a copy to the dean and the Executive Vice President and Provost. Any extensions previously granted apply regardless of whether the probationary faculty makes an election under this paragraph.

(6) Affirmative action and tenure. As affirmative action and tenure function at The University of Iowa, they are completely compatible concepts. Both seek to assure the acquisition and retention of those who are most qualified. In the appointment process, affirmative action operates to assure that the most qualified available person is identified and is offered the opportunity to join the faculty; and after initial appointment, it assures that in making tenure and salary decisions, irrelevant considerations such as race and sex play no role.

Prior to the initiation of the affirmative action program, the traditional process of identifying the most qualified person for an available position was somewhat limited in scope and, thus, the pool from which the most qualified person was drawn was relatively narrow. Under the present affirmative action program, all positions are advertised widely and direct inquiries are made of many more persons than in the past. With the expanded search, the pool from which to draw has been broadened substantially. The goal of the selection process has remained unchanged — to select the most qualified from among those available. With a broader pool from which to draw, the University can be more confident that the person truly most qualified has been identified. As affirmative action and tenure function at The University of Iowa, not only are the two compatible; they complement each other in assuring a quality faculty.

Only if the University's tenure system becomes frozen — either by the imposition of quotas on the percentage of persons who may acquire tenure or by restricting access to the tenure rank because substantially all faculty members have tenure — is tenure incompatible with affirmative action. If either quotas are established or tenuring-in occurs, access and upward mobility become impossible or extremely difficult; and in such a situation, affirmative action is stymied and vitality lost.

Coupling a dedication to affirmative action with awareness of the problem, initial appointment practices that limit somewhat the number of persons appointed to

probationary (tenure ladder) positions, and firm quality control in the process of tenure decision-making, the University sees no danger of unduly restricting access to tenured positions to the extent that would subvert its affirmative action program. Any quota system restricting access to tenure by establishing maximum percentages of tenured faculty members can only function to the detriment of the University's vitality and to its affirmative action program. Those who qualify and are needed must be rewarded or initiative will be destroyed. Access to tenured ranks must remain open to those who qualify or women and minority group members without tenure will be deterred from joining The University of Iowa faculty. With an open system — and we are persuaded that it can remain open — vitality will remain and affirmative action accomplished.

b. Faculty status. Faculty status is accorded to those members of the University who are charged with the duty of advancing and disseminating knowledge. As a consequence, appointment to, and progression through the academic ranks requires demonstrated competence and potential for continued growth as a scholar and teacher.

c. Termination of tenured faculty.

(1) General rule. Because of the centrality of tenure to the University's mission, the appointment of a tenured member of the faculty may be terminated only for good cause and in accordance with the principles of academic freedom stated in the Statement on Tenure and Academic Vitality at The University of Iowa (paragraph a above), which commits the University to the principle that "free inquiry and expression are essential to the maintenance of excellence; tenure is essential to free inquiry and expression." The procedures governing any termination must conform in all respects to the principles of due process. Thus, unless alternative procedures are specified in this manual, any termination proceedings shall be conducted under III-29 Faculty Dispute Procedures.

(2) The appointment of a tenured faculty member may be terminated for:

(a) Violations of University policies, including but without limitation:

(i) Sexual Harassment and Consensual Relationships (II-4 and II-5.9b(9)(c));

(ii) Violence (II-10);

(iii) Anti-Retaliation (II-11.4f);

(iv) Drug Free Environment (II-12.3b(1));

(v) Ethics in Research (II-27.6b(22)(a));

(vi) Professional Ethics and Academic Responsibility (III-29.7i(2)(e)); or

(vii) Regents Rules (II-29.14b(6)).

(b) Demonstrated unacceptable performance of duty pursuant to III-29.8.

(c) Financial exigency that is demonstrable and bona fide, defined as a financial crisis which exists or is imminent and which, if not corrected, threatens the survival of the University as a whole, but only if the crisis cannot be corrected by less drastic means than termination of tenured faculty.

(d) Programmatic change or discontinuance for academic reasons (when approved by the President of the University and the Board of Regents) which cannot reasonably be accomplished without terminating the tenure of faculty in the particular program. No faculty member may be terminated because of programmatic change or discontinuance unless, following the good faith efforts of the University and the faculty member, the faculty member cannot be transferred to another college or department where the professional services of the faculty member can be used effectively.

10.2 Criteria for Promotions

(President 10/85; amended 2/01)

The criteria for promotions include teaching, research, and other professional contributions. Since teaching and research are the central functions of the faculty, other professional contributions are considered subsidiary to these fundamental tasks. The length of service, whether long or short, does not constitute, of itself, a qualification for promotion nor the sole justification for the denial of same. It is also the policy of the University that promotions shall not be dependent upon offers of positions from other institutions. A candidate for promotion shall be evaluated in accordance with the provisions of III-10.5b. (See III-29.5d(4)(b), second paragraph.)

a. Teaching. The prime requisites for an effective teacher are intellectual competence, integrity, and independence; a willingness to consider suggestions and to cooperate in teaching activities; a spirit of scholarly inquiry which leads to the development and strengthening of course content in the light of developments in the area of interest, as well as to improve methods of presenting material; a vital interest in teaching and working with students and, above all, the ability to stimulate their intellectual interest and enthusiasm. The quality of teaching is admittedly difficult to evaluate. This evaluation is so important, however, that recommendations for promotion should include evidence drawn from such sources as the collective judgment of students, of student counselors and of colleagues who have visited the individual classes or who have been closely associated with the person's teaching as supervisor or in some other capacity, or who have taught the same students in subsequent courses. Academic counseling or advising of students should be recognized as an important component of the teaching process, and due credit should be given to faculty members who exert an unusual effort in this function.

b. Research. In most of the fields represented in the programs of the University, publications in media of quality are expected as evidence of scholarly interest pursued independently of supervision or direction. An original contribution of a creative nature is as significant or as deserving as the publication of a scholarly book or article. Quality of production is considered more important than mere quantity. Significant evidence of scholarly merit may be either in a single work of considerable importance or a series of studies constituting a general program of worthwhile research. The candidate should pursue a definite, continuing program of studies, investigations or creative works.

c. Other professional contributions. From time to time, a faculty member is called upon to render major professional services to the University or to society in general. Such contributions should be evaluated in terms of the effectiveness with which the service is performed, its relation to the general welfare of the University and its effect on the development of the individual.

10.3 Assignment of Academic Rank

Academic ranks of assistant professor, associate professor, and professor should be assigned only to those who are directly engaged in the teaching of courses approved for listing in the University's General Catalog or engaged in research which involves the teaching of graduate students.

10.4 Qualifications for Specific Ranks

(Amended 6/99; 10/00; 7/01)

Each academic unit is expected to develop detailed tenure and promotion criteria consistent with the following qualifications. If the pattern and practice in some units deviates markedly from these norms, such units may seek approval of the Executive Vice President and Provost for alternate criteria.

a. Assistant Professor.

(1) Promise of ability as a teacher.

(2) Holder of the doctorate or its equivalent.

(3) Promise of scholarly productivity, supported by publications or the equivalent.

(4) Term of appointment is typically three years, although it may be for a shorter period of time if recommended by the departmental executive officer and the dean of the college.

(5) Appointments at the rank of assistant professor shall ordinarily not exceed a total of seven years of service and thus shall be reviewed for tenure no later than during the sixth year of service. Unless otherwise agreed upon, the status of a faculty member who has served both as an instructor and as assistant professor in this University should be reviewed during the sixth year of service in the two ranks combined. A faculty member for whom a denial-of-tenure recommendation has been made by the Executive Vice President and Provost shall be given notification of a terminal year of appointment.

b. Associate Professor.

(1) Convincing evidence that the candidate is an effective teacher of, as appropriate, undergraduate, graduate, postdoctoral, and professional students.

(2) Demonstration of artistic or scholarly achievement supported by substantial publications or equivalent artistic creations or performances, of high quality, as appropriate to the discipline(s).

(3) Departmental, collegiate, and/or University service and, if appropriate, professional service will be expected at an appropriate level.

(4) The quality and quantity of teaching, scholarly/artistic accomplishment, and service should give unmistakable promise of promotion to full professor.

(5) A tenure appointment, except that for persons appointed from off the campus the initial appointment may be for a term of three years or less.

c. Professor.

(1) Consistent record of high-quality teaching at all appropriate instructional levels, including successful guidance of doctoral graduate students to the completion of their degree programs, where applicable.

(2) Continued artistic or scholarly achievement of high quality, accompanied by unmistakable evidence that the candidate is a nationally and, where applicable, internationally recognized scholar or creative artist in the chosen field.

(3) The candidate should have a record of significant and effective service to the department, college, and/or the University and, if appropriate, to the profession.

(4) A tenure appointment, except that for persons appointed from off the campus the initial appointment may be for a term of three years or less.

10.5 Review and Promotion Procedures

(President 10/85; amended 2/01; 7/01; 5/07)

a. The question of promotion of faculty may be brought up at any time deemed appropriate, but if not considered earlier, it should be brought up for formal consideration between the dean and the departmental executive officer as follows: assistant professors during the final year of the probationary period as defined by the college, and associate professors no later than the seventh year after promotion to that rank. Promotion may take place earlier if the qualifications and promise of the individual concerned warrant such action. Individual faculty members may request review for promotion, tenure, or both, at any time, and shall be afforded such review by the applicable department or nondepartmentalized college. The offer letter to a faculty member whose initial appointment will begin at a time other than the start of the fiscal or academic year or who has previous years of service at another institution should specify when the tenure and promotion review will take place.

b. A candidate for tenure and/or promotion or reappointment shall be evaluated under the relevant, clearly defined standards of the faculty member's academic unit(s) that were 1) in effect at the time of the faculty member's initial appointment or promotion to the rank currently held; 2) any such standards in effect since that time; or 3) any such standards in effect at the time of the evaluation, whichever of these the candidate elects. However, no standards may be applied if they were superseded more years ago than the time specified as normal time at rank (adjusted to account for any extension, family leave, or illness granted to the faculty member). For assistant professors, the normal time in rank is six years, unless the college has established a longer probationary period norm (III-10.1a(4)(c)), and for associate professors seven years (see paragraph a above). The candidate shall make an election under this section no later than the end of the academic year prior to the academic year in which the candidate is considered for tenure and/or promotion or reappointment. Absent such election, the standards for evaluation shall be those standards in effect at the end of the academic year before the academic year in which the candidate is considered for tenure and/or promotion or reappointment.

10.6 Post-Tenure Effort Allocation

(Board of Regents 5/22/97)

a. In planning, setting priorities, and making decisions, The University of Iowa is guided by its commitment to the core values of learning, integrity, quality, community, and responsibility. With respect to faculty, the core values of learning, quality, and responsibility are extremely important. These three values state:

(1) Learning. The University of Iowa is dedicated to discovering, disseminating, and preserving knowledge and to the development of an educated citizenry. Through teaching, research, scholarship, creative endeavor, clinical practice and public outreach, the University develops ideas, enlarges understanding, and extends its resources to society. Recognizing the need for constant inquiry and continuous reinterpretation of knowledge, the University vigilantly protects free expression of thought, respects difference and diversity, and fosters opportunities for all members of the community to generate and discuss ideas and contribute to the vitality of the educational environment.

(2) Quality. As a center of learning, the University of Iowa measures itself by exacting standards, honors high aspiration and achievement, and expects all persons associated with the University to strive for excellence.

(3) Responsibility. The University of Iowa is obligated to exercise responsible stewardship over the intellectual and material resources entrusted to it. As a public institution, the University aims for accessibility, affordability, and quality, so that a broad array of qualified students from Iowa and elsewhere may obtain an excellent education at reasonable cost. The University recognizes the responsibility of its faculty to determine what students should learn and to shape the body of knowledge

that will be passed on to future generations. It is also the University's obligation to engage all members of its community in collective reflection on their responsibilities not only to their disciplines and professions but also to the institution and to society.

In carrying out its obligation to transmit learning in an exacting and responsible manner, faculty at a major research institution are expected to engage in teaching, research, and service. Although these categories parallel our University's threefold mission, in our experience, they do not adequately suggest the complexity of faculty work, its different configurations across the University, and its development throughout any single faculty member's career. Faculty members engage in teaching, research, scholarship, artistic endeavor, clinical practice, and public outreach; they administer departments and colleges; they run teaching and research laboratories; design curricula; write grants; and advise students. Although each faculty member's efforts may not be distributed evenly among the various components of academic work, each has the responsibility to serve the University and its constituents in full measure and according to exacting standards.

The expectations of work for the attainment of tenure are spelled out in various documents relating to pre-tenured faculty. Pre-tenure effort allocations must generate profiles that demonstrate teaching effectiveness, research, and, to a lesser extent, service.

Faculty profiles can be expected to look most alike at the time of the tenure decision. It seems reasonable, and even desirable, however, to expect that after tenure, faculty careers will begin to diversify as individuals develop different strengths and assume different responsibilities. This policy establishes the concept of a "faculty portfolio" that allows for variations in the combination of teaching, research, and service for a limited period of time through which faculty can make their maximum contribution to the University's mission. Because the efforts of all faculty will be marshaled in ways to assure that the talents of all at a given time are used most effectively, use of individualized portfolios and portfolios consistent with unit norms should only have a positive impact on the quality of faculty teaching and research.

The faculty portfolio concept reflects the notion that tenured faculty members may negotiate with their DEOs individualized patterns of work that differ from the expected distribution of efforts for a typical faculty portfolio (herein "unit norms") of their college, department, or unit (hereinafter called unit). These portfolios, however, should be developed with the view that all faculty within a unit will commit their collective strengths to fulfilling the overall mission of their units and the University consistent with appropriate strategic plans. The opportunity for differential allocation of post-tenure effort thus facilitates the attainment of the University's core values of quality, learning and responsibility.

The activities of faculty at institutions with a significant research mission differ markedly from the activities of faculty at institutions with no significant research mission. Immediately below are highlighted some of the prominent features of the activities of the faculty at The University of Iowa under the categories of: 1) Teaching, 2) Research, Scholarship, and Creative Work, and 3) Service, Administration, and Outreach.

(1) Teaching. Faculty members teach a wide variety and types of courses at the University. Teaching of courses includes the preparation of course syllabi, classroom materials, class lectures, and discussion topics, and student assignments such as papers and projects. Faculty also prepare and administer examinations, evaluate student work, train and supervise the work of teaching assistants, continuously read in their field to include up-to-date material and information in their classes, and meet their students outside of class to advise, help, and guide them in their course work. Teaching also includes the mentoring of undergraduate and graduate students in research settings.

Other important teaching efforts include faculty initiatives to improve instruction through the design and revision of the curriculum, the creation of new courses, the revision of existing courses, and supervision of the creative work and research of students.

In carrying out its obligation to transmit learning in an exacting and responsible manner, faculty at a major research institution are expected to engage in teaching, research, and service. Although these categories parallel our University's threefold mission, in our experience, they do not adequately suggest the complexity of faculty work, its different configurations across the University, and its development throughout any single faculty member's career. Faculty members engage in teaching, research, scholarship, artistic endeavor, clinical practice, and public outreach; they administer departments and colleges; they run teaching and research laboratories; design curricula; write grants; and advise students. Although each faculty member's efforts may not be distributed evenly among the various components of academic work, each has the responsibility to serve the University and its constituents in full measure and according to exacting standards. The unique requirements and features of faculty work in the different types of classes taught can vary. For example, in a large lecture course, considerable effort is spent in preparing lectures, maintaining records of student work, and coordinating teaching with other faculty in other sections of the course. By contrast, in a clinical or professional course, considerable effort is devoted to working with small groups of students in clinical or professional settings, arranging for the settings and the student activities in these settings, and closely guiding the interactive work of the students in those settings.

(2) Research, scholarship, and creative work. Faculty conduct a wide range of research, scholarship, and creative work to advance the core value of learning, including engaging in hands-on creative work and research, directing and collaborating with graduate students and professional students in joint creative activities and research, directing and supervising undergraduate creative work and research, and supporting this scholarly work through efforts to arrange and sustain adequate physical, financial, and institutional (and inter-institutional) support.

As with teaching, there are many different types of activities necessary to create and sustain vitality in research, scholarship, and creative work by faculty. At the center of this activity, faculty require the time and resources to pursue scholarly or creative work in the laboratory, the library, the studio or office, and/or in the field, to supervise and direct the work of their students, to write proposals to obtain support for their projects, to attend professional meetings and to consult with a variety of groups and individuals to enhance their understanding of problems and challenges.

(3) Service, administration, and outreach. Faculty serve their professional colleagues and organizations, the public, and various off-campus constituencies. They also administer and govern the academic programs and services of the University and assist colleagues and University administrators with a variety of functions and tasks.

With regard to professional service, faculty are often asked to hold offices in professional organizations and help to organize professional meetings. They edit books and professional journals and serve as reviewers for such publications. They serve on federal and regional panels and offer advice to private, corporate and government funding agencies. With regard to public service, faculty may provide health care, legal service, artistic leadership, and educational expertise. Faculty offer educational outreach programs to the business community, community organizations, and governmental bodies. Faculty expend considerable effort to help administer and govern the University. They chair departments, serve on a wide-range of appointed and elected committees, and recommend the allocation of fiscal and human resources necessary to the educational mission of the institution.

The University's commitment to learning and to the above listing of some of the efforts of faculty toward the achievement of that commitment implicitly recognize that teaching, research, and service are inextricably interwoven and that the proportions of time and effort that all faculty within a unit devote to them at any particular time need not be equal.

b. In determining differential allocation of post-tenure effort, the following rules and principles apply:

(1) Each unit is obligated to contribute fully to the accomplishment of the overall mission and values of the University, consistent with the strategic plan of the University and the unit. Just as the proportion of effort among units may vary in carrying out the University's mission, so too may the proportion of effort by individual faculty vary. However, the aggregate efforts of all faculty within a unit must be consistent with the overall strategic plan of the unit.

(2) Over a faculty member's aggregate post-tenure work life, the faculty member is expected to contribute to the University's core value of learning by efforts expended primarily in teaching and research and, to a lesser extent, service. In some units, the common use of the terms "service" or "clinical service" includes efforts that may properly be viewed as teaching or research.

(3) As individual faculty members follow typical post-tenure career patterns, shifts may occur in the proportion of a faculty member's efforts devoted to these three components, capitalizing on the individual faculty strengths at any particular time to fulfill the teaching, research, and service needs of the unit or the University.

(4) Following the adoption of this policy, the faculty of each unit will develop expected norms for a typical faculty portfolio reflecting its judgment as to the appropriate allocation of effort for its faculty among teaching, research and service. Unit norms must be approved by the dean in which the unit is located and by the Executive Vice President and Provost. Changes in unit norms must be initiated by the faculty of the unit and approved by the dean in which the unit is located and by the Executive Vice President and Provost.

(5) Faculty members within a unit may negotiate with the DEO individualized effort portfolios that differ from the unit norms. Ordinarily, portfolios are effective for a maximum of two years. Renewals are possible. Either the individual faculty member or the DEO may initiate discussions for an individualized portfolio. Agreements concerning individualized faculty portfolios that differ from unit norms shall be formalized in a document to be included in the faculty member's personnel file. Such agreements should reflect a clear understanding of the efforts to be made by the faculty member.

(6) The use of individualized portfolios within a unit must advance the teaching, research or service missions of the unit or the University, must not significantly compromise the unit's teaching, research, and service mission, and should be consistent with the career goals of the faculty. Because of this, no faculty member is entitled to, or can be compelled to have, an individualized portfolio. Furthermore, when considering the advisability of an individualized portfolio, both the DEO and the faculty member should consider how such a portfolio would fit with the goals of the unit, the University, and the faculty member.

(7) The DEO shall discuss all proposed individualized portfolios with the dean or Executive Vice President and Provost, who will approve them before they are implemented during the subsequent academic year. The DEO also shall distribute to the faculty of the unit a list of faculty members who have negotiated individualized portfolios, together with a statement of the area of emphasis for those particular faculty members and a statement of how the unit strategic plan will continue to be realized by the unit faculty taken as a group. All of this shall occur within sufficient time to permit appropriate planning of the unit's teaching, research and service mission.

(8) The use of individualized portfolios within a unit will not compromise the standards required for a tenured faculty member to obtain promotion. Therefore, individualized faculty portfolios that would interfere with a tenured faculty member's opportunity to be promoted in a timely manner are inadvisable.

(9) Regardless of how a faculty member's responsibilities are distributed among teaching, research, and service, the faculty member is expected to perform those responsibilities to a high standard of excellence. For purposes of annual merit pay adjustments and peer review evaluations, all faculty will be evaluated relative to how well they perform their efforts pursuant to their individualized portfolio, or, if none, consistent with unit norms, and without regard to whether those efforts involve teaching, research, or service.

Example #1: In prior years, Faculty A, B, and C each devoted their efforts to teaching, research, and service consistent with unit norms, but with varying degrees of achievement and success. Each of them and their DEO have recognized that their individual strengths are not being utilized to the best in light of their current interests and talents, and that, as a result, the unit has not been able to maximize its commitment to learning as reflected in its strategic plan. Through the use of individualized portfolios, their collective efforts can be reallocated so that each of them expends efforts in a manner that takes into account their different strengths; this effort reallocation will increase the overall productivity of the unit.

Example #2: Faculty members A, B, C, and D are in the same unit. Faculty A and the DEO agree that, for a particular period, Faculty A will have greater classroom teaching obligations than would otherwise be the norm within the unit. Faculty B and the DEO agree that, during some particular period, Faculty B will have greater governance responsibilities that would otherwise be the norm. Faculty C and the DEO agree that, for a particular period, Faculty C will have greater research obligations than would otherwise be the norm. Faculty D's responsibilities remain consistent with unit norms.

The efforts of each of them will be rewarded on the basis of how well each performs such activities, since all of them contribute in their respective ways to the overall mission of the unit. If each individual performs his or her agreed upon activities to the highest level, then the merit pay of each should be determined in the same manner, all other things being equal (e.g., no salary compression issues; no competing offers).

On the other hand, if one of them excels in the performance of his or her agreed upon activities while the other three faculty members' performances of their efforts are deemed very good, the faculty member who excelled should receive a higher merit pay adjustment.

Example #3: Unit X has adopted unit norms that state that in the absence of individualized portfolios, faculty members in the unit shall allocate 50% of their time to teaching, 40% of their time to research, and 10% of their time to service. All but two faculty in the unit have allocated their work efforts according to those norms this year. The work effort of Faculty A and Faculty B, who joined the unit within one year of each other, typically comport with unit norms. This year, however, each of them has an individualized portfolio with Faculty A's time being allocated: 70% to teaching, 20% to research, and 10% to service and Faculty B's time being allocated: 70% to research, 20% to teaching, and 10% to service.

Faculty A has a history of being a good teacher and scholar. Faculty B is recognized to be an exceptional scholar and has consistently been assessed as one of the premier teachers in the unit. In the current year, both A and B continue to perform their work as they have in the past. Under this policy Faculty B should receive a higher merit pay adjustment than Faculty A.

(10) The decision of a DEO and/or any other group authorized to evaluate and reward faculty in a manner that fails to take into account individualized faculty portfolios may be appealed to the dean of the college in which the unit is located or, in nondepartmentalized colleges, to the Office of the Executive Vice President and Provost.

Example #4: Faculty A and the DEO agree that Faculty A will devote the next academic year exclusively to teaching. At the end of the year, the DEO advises A that even though A has performed to a high standard of excellence, the DEO has decided to provide more merit funds to those faculty in the unit who have complied with the unit norms. This decision would be inconsistent with the intent of this policy, which is that A's merits be determined by reference solely to the

agreed upon portfolio. Any adverse salary determination would be appealable to the dean or the Office of the Executive Vice President and Provost, as appropriate.

10.7 Review of Tenured Faculty Members

(Faculty Senate 3/29/11; amended Faculty Council 8/11)

a. Introduction.

(1) Scope. This section establishes procedures to be followed by the University in conducting reviews of a tenured faculty member's academic performance in areas of teaching, scholarship, and service. There are two kinds of review of tenured faculty: annual reviews conducted by the unit head, and periodic reviews conducted by faculty peers.

(a) An annual review should, in the main, be evaluative, but may also be formative and developmental.

(b) A peer review should, in the main, be formative and developmental, and should facilitate and encourage professional vitality.

(2) Academic freedom. All proceedings under this section shall respect the principles of academic freedom and tenure stated in the Statement on Tenure and Academic Vitality at The University of Iowa (III-10.1a(2) above), which commits the University to the principle that "free inquiry and expression are essential to the maintenance of excellence; tenure is essential to free inquiry and expression." The expectation is that all post-tenure reviews will respect the significance and importance of tenure.

(3) Rationale. A tenured faculty member has the responsibility of strengthening his or her university citizenship through his or her work in education, research, and service. The faculty member must also ensure that he or she continues to strive to meet this responsibility. Post-tenure review is a process that has been developed to assess a tenured faculty member's progress. The process includes annual review or evaluation conducted by the faculty member's unit head, and a five-year review conducted by the faculty member's peers.

b. Annual review of tenured faculty. An annual performance review of all tenured faculty members, through a process developed by the unit head (DEO, or equivalent) in consultation with the faculty of the department, or in nondepartmental units with the faculty of the college, and approved by the dean and Provost, is conducted by the unit head as part of the salary-setting process. Review of tenured faculty shall include an evaluation of research/scholarship, teaching, and service. As part of this review, each faculty member must make available to the unit head materials specified in the statement of the department's review process (e.g., vitae, teaching evaluations, etc.).

When, as a result of an annual review, the unit head concludes that there are significant deficiencies related to teaching, research, or service, the unit head shall provide written notifications of these conclusions to the faculty member being reviewed, and the faculty member will be given an opportunity to respond in writing. The final report and the faculty member's response will be sent to the dean and will be kept with the faculty member's personnel records.

The annual review will consider, as appropriate, issues of long-term research, instructional development, or service that cannot be adequately represented on a strictly annual basis. Faculty members being reviewed by their department for the special purpose of promotion may be exempted from this annual faculty review requirement.

c. Five-year peer review of tenured faculty.

(1) Overview. In a shared-governance academic environment, the faculty plays an indispensable role in appointment, reappointment, promotion, tenure, and dismissal of faculty members. One of the ways that faculty exercise this responsibility is through the formal process of peer review. Post-tenure peer review is intended to acknowledge achievements and to provide an appropriate mechanism to encourage constructive responses to normal changes that are likely to occur over the course of a successful academic career. The developmental nature of post-tenure review mandates that a faculty member being reviewed should be accorded adequate time to respond to the review and to improve performance where necessary, prior to initiation of any proceedings which may be viewed as adversarial or punitive.

(2) Procedure. All tenured faculty members will undergo a peer review once every five years subsequent to their most recent tenure or promotion review. Faculty members are exempted from their scheduled five-year peer review if:

(a) they are being reviewed for promotion to a higher rank during the year of the scheduled review,

(b) they are within one year of announced retirement or are on phased retirement, or

(c) they serve as DEO, assistant dean, associate dean, or dean.

The five-year peer review will include a comprehensive review by a committee composed of tenured faculty peers in the same college as the faculty member undergoing review and at the same or higher academic rank appointed by the DEO or dean in consultation with the faculty member who is to be reviewed. DEOs and other academic administrators may not serve on peer review committees. The outcome of this peer review is confidential and confined to the faculty member being reviewed, the review committee, the DEO, the dean, others directed by the faculty member, and in special circumstances the Provost.

(3) Plan. Consistent with the foregoing, each college must develop and implement a plan for the five-year peer review of each tenured faculty member. The plan is to include specific guidelines regarding:

(a) selection of the five-year peer review committee;

(b) committee procedures and timelines;

(c) materials to be reviewed;

(d) distribution and use of the committee's written report; and

(e) mechanisms for the faculty member to respond.

Faculty members of the college will approve the plan by vote. The dean and Provost will approve each plan and ensure consistency with review processes across the departments and colleges.

A faculty member who believes that she or he has been treated unfairly at any point during the five-year peer review process may seek redress of her or his grievance within the scope and framework of III-29.6 Faculty Dispute Procedures.

d. Special cases procedures. If, after receiving the results of the five-year peer review, the dean, on advice of the peer review committee and in consultation with the DEO, if one exists, concludes, on the basis of the peer review's findings, that the faculty member's performance has fallen for a significant period of time below the expected standard of

performance for the faculty member's unit, then the dean may initiate discussions with the faculty member concerning the development of a plan to address problems uncovered in the review. Such discussion may focus on the faculty member's individualized portfolio. The plan will be put in writing, will contain a justification for its implementation, will provide a specific timetable for evaluation of acceptable progress (normally to occur at the faculty member's next five-year review), and will provide a description of possible consequences for not meeting expectations by the time of that evaluation. The DEO and/or dean may monitor progress through the annual review and give feedback to the faculty member.

If the plan prepared by the peer review committee and the dean is not agreed to by the faculty member, then the faculty member will provide a written justification for not agreeing to the plan. The plan and the faculty member's response will be submitted to the Provost, who will make the final determination as to whether the plan should be implemented. If the faculty member believes that there are grounds for grievance, then the faculty member may seek redress of his or her grievance within the scope and framework of II-29.6 Faculty Dispute Procedures.

In deciding whether or not to implement such a plan, it is important that the dean and DEO respect the importance of tenure and the academic freedom it is designed to protect. With respect to research, there is a critical distinction between a faculty member who has ambitious research programs that they are actively pursuing and the very few faculty members who have no such plans and who have had no work in progress for a substantial period of time. It is expected that if plans envisioned focus on research productivity, they would typically be appropriate only for the latter group.

If the plan is implemented, then the dean (or dean's designee) and the DEO will oversee the faculty member's progress under the plan. If after the agreed-to time period, the dean and the DEO, in consultation with the peer review committee, find no acceptable progress, then the DEO, the dean, the Provost, and the peer review committee will meet to decide which of the consequences described in the plan will go into effect. The consequences will be implemented by the dean, in consultation with the DEO, and monitored by the Provost.

Use of the special review procedures described above does not preclude deans from utilizing available, alternative procedures for addressing problems of unacceptable performance of duty (III-29.7, III-29.8). On those rare occasions where a faculty member has proved unwilling or unable to benefit from developmental assistance to improve his or her performance, the administration may feel compelled to proceed against the faculty member in a disciplinary or unfitness proceeding, where the burden of proof is on the administration to show that the proposed sanction is justified. However, deans are strongly encouraged to proceed with formative and developmental plans before resorting to such measures.

10.8 Part-Time Faculty Members

(Regents 6/27-28/74)

a. Definitions. As used in these regulations:

(1) "Part-time" means fifty percent or more but less than one hundred percent of full-time.

(2) "Faculty member" means a person holding the rank of assistant professor, associate professor or professor.

b. Mutual obligations. A part-time faculty member on the tenure track is expected to meet the various obligations of a full-time faculty member in proportion to the percentage of the appointment. Administrative units of the University are expected to assign duties and provide support to a part-time faculty member on the same basis as to a full-time faculty member, except prorated in accordance with the percentage of appointment.

c. Requirements and qualifications. Except for the time periods specified in III-10.5, all requirements and qualifications of III-10.1–10.5 apply to part-time faculty members.

d. Time periods. The six- and seven-year periods specified in III-10.5 are applicable to full-time faculty members. For the purposes of III-10.5, the service of part-time faculty members will be calculated by adding together part-time service (fifty percent or more) until the time periods set forth in III-10.5 and elsewhere have been completed. Thus, twelve years of fifty percent service will be deemed the equivalent of six years of full-time service; ten years of sixty percent service will be deemed the equivalent of six years of full-time service; eight years of seventy-five percent service will be the equivalent of six years of full-time service; and six years of seventy-five percent service coupled with three years of fifty percent service will be deemed the equivalent of six years of full-time service.

e. Tenure status. Tenure status shall be awarded to part-time faculty members who are found to meet University standards for granting tenure, with the performance expectations to be identical with those required of full-time faculty members. Faculty service which is less than fifty percent of full-time service will not be credited towards completion of a probationary period leading to a tenure decision.

f. Percentage of full-time service. The percentage of full-time service obligation and right of a part-time faculty member who has earned tenure normally will be at the median percentage of full-time service rendered by the faculty member during the probationary period. Part-time faculty members who currently have tenure shall have a percentage of full-time service obligation and right at the percentage at which the faculty member was serving when tenure was awarded.

g. Adjusting part-time service. The decision to increase permanently to full time the percentage of a part-time faculty member's service is to be made in the same fashion as a new hiring decision and in all cases the person most qualified to fill the available position will be employed. A present part-time faculty member shall be given preference in filling a vacancy in his or her academic unit, however, if equally qualified for the position in comparison with all other applicants. In considering whether to increase a part-time faculty member to full-time status or to employ a new full-time faculty member, the decision will be made wholly on the merits of the candidates under consideration and shall not be influenced by the fact that it may be more inconvenient to move the present part-time faculty member to full time and to hire a new part-time faculty member than to employ a new full-time faculty member, nor to the extent fiscal resources permit, by the fact that the salary of the part-time faculty member when moved to full time may be higher than that of a full-time faculty member hired from off campus. A part-time faculty member and the collegiate dean may agree in writing at any time 1) to decrease permanently the percentage of full-time service to be required of the faculty member, as long as the percentage does not fall below fifty percent; and 2) to decrease or increase temporarily — for not more than two years — the percentage of service to be rendered.

h. Reducing full-time appointment. Any agreement that a full-time tenured appointee will thereafter serve on a part-time basis shall specify either 1) that the tenured appointment thereafter will relate solely to service on an agreed part-time basis; or 2) that the appointee will return to full-time service on a specified date. Such an agreement shall be in writing and is subject to modification only by a written agreement between the faculty member and the collegiate dean. In no event shall the percentage of tenure status be reduced to less than fifty percent.

i. Rights and Responsibilities. Part-time faculty members shall be entitled to all University, collegiate, and departmental rights, and have all responsibilities of full-time faculty members.

10.9 Clinical Track Policy

(Regents enacted 2/15/95; amended 7/00; 1/02; 4/05; 9/13)

Preamble. Consistent with the University's need to retain the flexibility to adjust its programs to meet the changing needs of students and society, non-tenure track clinical faculty may be appointed and promoted as provided below. This policy sets parameters within which individual colleges can, but are not required to, develop policies and procedures that permit the hiring of clinical faculty. Operationally it is similar to the tenure policy, in that collegiate policy would amplify University policy and would be approved by the Executive Vice President and Provost.

a. Definitions. Clinical faculty hold service positions through which they contribute to the service, teaching, and/or outreach missions of the University, and hold faculty rank at instructor, assistant professor, associate professor, or professor. Clinical faculty are not eligible for tenure. They participate in the faculty governance process as described below and as defined by individual colleges and the Faculty Senate.

b. Role of clinical faculty. All clinical faculty must devote a significant portion of their time to providing or overseeing the delivery of professional services to individual patients or clients. In addition, teaching students, residents, or fellows of the University at the undergraduate, graduate, professional, or postgraduate level is an essential job function for all faculty (whether tenured, tenure track, or clinical). Thus, clinical faculty are expected to integrate the delivery of their professional services with their teaching. While the use of clinical faculty is most easily conceived in the context of health sciences and law where faculty are involved in the delivery of professional services to patients and clients, there are other disciplines in other colleges where the use of clinical faculty for similar purposes may be entirely appropriate. The services provided by clinical faculty outside of the health science colleges should be the professional equivalent of services provided to patients. The use of clinical faculty largely to perform administrative functions with little or no teaching obligations is inconsistent with this policy. Similarly, it is inappropriate to use clinical track faculty largely to engage in research, scholarship, or artistic creation.

c. Types of appointments. As used herein, "clinical faculty" can hold one of two types of appointment within the University:

(1) Salaried appointments. Clinical faculty may hold salaried positions as employees of The University of Iowa. These faculty participate in faculty governance as defined by the college and Faculty Senate, receive usual faculty benefits, and undergo periodic reviews of their performance. Each college adopting a clinical track policy shall fix the percentage of its total salaried faculty that may hold clinical track appointments without limitation. However, any proposal made at any time to increase the percentage of clinical track appointments (computed in FTEs) within a college (including an initial proposal to create a clinical track) must obtain both the approval of a majority of the tenured/tenure track faculty within the college and the approval of a majority of the clinical track faculty within the college by a referendum supervised by the Associate Provost for Faculty. Any such proposal must also be approved by the Executive Vice President and Provost.

(2) Nonsalaried appointments. Other clinical faculty may hold nonsalaried positions with the University, but they are not considered employees of the University. These clinical faculty contribute in a material way to the University's missions, although their obligations are more limited in scope than salaried faculty. They do not participate in faculty governance and do not receive salary or benefits outside of nominal remunerations. However, recognizing their contributions with a "clinical faculty" designation denotes the importance of their teaching and service functions. There is no limit on the number of such nonsalaried clinical faculty who can be appointed within individual colleges.

d. Terms of appointments.

(1) Salaried appointments. Salaried clinical faculty are searched for and appointed through recruitment processes also used to search for tenure track faculty. (See III-9 Appointments.)

Initial appointments for salaried clinical faculty are one to three years in duration. In the final year of the initial appointment, a full-scale, departmental-collegiate review will be made. This review should take into account the faculty member's demonstrated effectiveness in fulfilling teaching and service missions. It should also include an evaluation of the departmental, collegiate, and University educational and service goals and the likely role of the faculty member in the future in achieving those goals. To assure unified decision-making at this point, full central administration review of the departmental-collegiate recommendation is necessary.

After a positive review, salaried clinical faculty will receive a one- to seven-year appointment commencing at the beginning of the next academic year. Faculty will be reviewed on a schedule commensurate with their appointments according to written standards of competence and performance defined by their unit.

(2) Nonsalaried appointments. Nonsalaried clinical faculty are appointed pursuant to procedures adopted by individual colleges and approved by the Office of the Executive Vice President and Provost.

e. Qualifications for specific ranks. The ranks of clinical faculty shall be assigned as defined below, and in accordance with collegiate policies.

(1) Instructor.

(a) Promise of ability in service, to include but not be limited to clinical service.

(b) Promise of ability to contribute to teaching.

(2) Assistant Professor.

(a) Evidence of ability in service, to include but not be limited to clinical service.

(b) Evidence of ability to contribute to teaching.

(3) Associate Professor.

(a) Acknowledged record of service and teaching success.

(b) Evidence of progress toward a record of professional productivity beyond clinical service, as defined by the college.

(4) Professor.

(a) Acknowledged record of service and teaching success.

(b) An established record of professional productivity beyond clinical service, as defined by the college.

(c) Unmistakable evidence of recognition by peers, as defined by the college.

(5) Demonstration of artistic or scholarly achievement shall not be a requirement for reappointment or promotion of clinical track faculty.

f. Titles. All titles of clinical faculty shall contain the term "clinical" as a modifier. Exact titles must be stipulated in college procedures and approved by the Office of the Executive Vice President and Provost.

g. Promotion.

(1) Salaried clinical faculty. The question of promotion of clinical faculty may be brought up during any regular promotions cycle. Promotion of salaried clinical faculty will follow University and collegiate Procedures for Clinical-Track Promotion Decision Making at The University of Iowa. All recommendations for promotion of salaried clinical faculty are submitted to the Board of Regents for approval.

(2) Nonsalaried clinical faculty. Procedures and criteria for the promotion of nonsalaried clinical faculty shall be adopted by individual colleges and approved by the Office of the Executive Vice President and Provost. The provisions of III-10.5 and those regarding salaried clinical faculty described herein do not apply.

h. Termination and non-renewal.

(1) Salaried clinical faculty.

(a) Termination of salaried clinical faculty during the term of the appointment must be for failure to meet written standards of competence and performance established by the unit and the University.

(b) A decision not to renew an appointment of a salaried clinical faculty member may be for failure to meet written standards of competence and performance established by the unit and the University, or for changed economic circumstances or program needs such that the position itself is terminated. Non-renewal for changed economic circumstances or program needs may only occur at the conclusion of an appointment, and must carry appropriate notice.

(c) Notice of non-renewal of appointment, or of intention not to recommend reappointment after a stated period has elapsed, is given in writing in accordance with the following standards:

(i) Not later than March 1 of the first year of service, if the appointment expires at the end of that year; or if a one-year appointment terminates during an academic year, at least three months in advance of its termination.

(ii) Not later than December 15 of the second year of service, if the appointment expires at the end of that year; or the appointment terminates during an academic year, at least six months in advance of its termination.

(iii) At least twelve months before the expiration of an appointment after two or more years of service in the institution.

(d) A decision for termination or non-renewal of salaried clinical faculty is subject to the provisions of the Faculty Dispute Procedures. (See III-29.)

(2) Nonsalaried clinical faculty. Grounds and procedures for the termination or non-renewal of nonsalaried clinical faculty shall be adopted by individual colleges and approved by the Office of the Executive Vice President and Provost. Decisions to terminate or not renew nonsalaried clinical faculty appointments will be reviewed by the dean of the college in which the faculty member was appointed. However, because nonsalaried clinical faculty are not considered employees of the University, such decisions are not subject to the provisions of the Faculty Dispute Procedures.

i. Collegiate policies and guidelines.

(1) Every college that plans to offer salaried, non-tenured clinical faculty appointments must develop its own written policy statement with respect to such appointments, subject to approval by its own faculty and by the Executive Vice President and Provost.

(2) The resulting policy statement will provide detailed guidelines for every relevant item in this section on "Clinical Faculty." In the development of a policy statement, the following elements should be addressed:

(a) Participation in collegiate faculty governance. Policies for the participation of clinical faculty in collegiate faculty governance, including in the hiring of tenure and clinical track faculty, will be developed by each college using its usual governance procedures, provided, however, that no such governance policy shall permit clinical track faculty to vote on the reappointment, tenure, or promotion of any tenured or tenure track faculty member.

(b) Procedures for appointment, reappointment, and promotion.

(c) Criteria for appointment, reappointment, and promotion.

(d) Participation in peer review for appointment, reappointment, and promotion of other faculty.

(e) Teaching. If the college defines "teaching" as training or instruction given to individuals or small groups while service is delivered, then that limited definition will apply to the evaluation of teaching for appointment, reappointment, and promotion purposes.

(f) Professional productivity beyond clinical service.

j. This policy shall be reviewed not later than five years following its implementation.

10.10 Research Track Policy

(Regents enacted 6/12/08; amended 7/15; 12/15)

Preamble. Consistent with the University's need to retain the flexibility to adjust its programs to meet the changing needs of the modern research university, non-tenured research-track faculty may be appointed and promoted as provided below. This policy sets parameters within which individual colleges can develop policies and procedures that permit the hiring of research-track faculty. Operationally, collegiate policy would amplify this policy.

a. Definitions. Research-track faculty hold positions through which they contribute primarily to the research mission of the University and hold faculty rank at assistant professor, associate professor, or professor. Research-track faculty are not eligible for tenure. Research-track faculty members can participate in internal college governance by the approval of the tenured/tenure-track faculty but cannot vote on the hiring of tenured/tenure-track or clinical-track faculty. With regard to Faculty Senate representation, no more than 10 percent of the senators from any college, or one senator, whichever is greater, may be research-track faculty from that college and may be appointed to any committees of the Senate or to University charter committees as a faculty representative. They can qualify for awards and can compete for internal research grants in the same manner as research scientists who are professional and scientific staff.

b. Role of research-track faculty. Research-track faculty will devote almost all of their time to performing externally supported research and are expected to submit or assist in the submission of research grant applications. Teaching is an essential function of all faculty, but in the case of the research-track faculty it would occur predominantly in the form of service on doctoral committees (including serving as a co-chair with a tenure-track faculty member) with the approval of the Graduate College. Research-track faculty cannot be assigned to teach courses, but they could provide auxiliary lectures on areas of knowledge relevant to their research or to engage in other teaching as may be required by the terms of their research grant or contract. Research-track faculty cannot be assigned to perform administrative functions with little or no research obligations as that assignment

would be inconsistent with this policy.

c. Collegiate policies and changes; size of research faculty.

(1) Every college that plans to offer salaried, non-tenured research-track faculty appointments must develop its own written policy statement with respect to such appointments consistent with all the terms of this policy. Any policy must address each of the following:

(a) Participation of research-track faculty in collegiate faculty governance, including the appointment, reappointment, promotion, and peer review of other research faculty. Research-track faculty may not participate in any personnel decisions relating to the appointment, reappointment, promotion, and peer review of tenured/tenure-track or clinical-track faculty.

(b) Procedures for appointment, reappointment, and promotion of research-track faculty.

(c) Criteria for appointment, reappointment, and promotion for research-track faculty.

(d) Description of the role of salary support in the decision to renew or terminate appointments, including a statement regarding whether limited bridge funding may be available, but not guaranteed, from the department or college from funds other than general education funds.

(e) Research-track faculty members may apply for open positions in the tenure track, but they may be appointed to the tenure track only one time during their career at The University of Iowa. Colleges may further define their own policies related to track switching.

(2) Each college adopting a research-track policy shall fix the size of its total salaried faculty that may hold research-track appointments. The limit on the number of research faculty in any college shall be the greater of eight faculty members or ten percent of the tenured/tenure-track faculty (computed in FTEs) of that college.

(3) Support for research-track faculty, including all start-up costs, shall be funded exclusively by grants, contracts, clinical income, and private donations, and not with general education funds.

(4) The initial policy to create a research track in a college and any proposal made at any time to change that policy within a college must obtain both the approval of a majority of the tenured/tenure-track faculty within the college and the approval of a majority of the research-track faculty within the college by a vote supervised by the Associate Provost for Faculty. Any proposal to adopt or to change a college's research track policy must be approved by the University of Iowa Faculty Senate, the Executive Vice President and Provost, and the President. Any collegiate policy must be wholly consistent with this policy.

d. Terms of Appointments. Research-track faculty are sought and appointed through recruitment processes used to appoint tenure-track faculty.

Initial appointments for research-track faculty are one to three years in duration. After three years or prior to that if a promotion is contemplated, a full-scale, departmental-collegiate review will be made. This review should take into account the research-track faculty member's effectiveness in fulfilling the research mission and the ability of the research-track faculty member to obtain and sustain extramural salary support. It also should include an evaluation of the departmental, collegiate, and University research goals and the likely role of the research-track faculty member in the future in achieving those goals. To assure adherence to standard procedures, a full central administration review of the departmental-collegiate recommendation is necessary.

After approval of the departmental-collegiate review, research-track faculty will receive terms of appointment consistent with established procedures for non-tenure track University employees; however, appointments cannot be for a period longer than current external support for that faculty member.

Research-track faculty will be reviewed on a schedule commensurate with their appointments, according to written standards of competence and performance defined by their college and departments. Reappointments are to be made only if the research faculty member has a demonstrated record of successfully obtaining external support to fund the research-track faculty member's research.

e. Qualifications for specific ranks. The ranks of research-track faculty shall be assigned as defined below, and in accordance with collegiate policies. Candidates for promotion shall be evaluated primarily upon the quality of their research (see paragraph g).

(1) Assistant professor.

(a) Terminal degree (or its equivalent) appropriate to the field.

(b) Evidence of productive scholarship.

(c) Evidence of ability to fulfill relevant responsibilities in the research enterprise.

(2) Associate professor.

(a) Terminal degree (or its equivalent) appropriate to the field.

(b) Record of productive scholarship in high-quality venues such as peer-reviewed journals, conference proceedings, or books appropriate to the discipline.

(c) Evidence of extramural research funding and sustained salary support from extramural grants and/or contracts on which the faculty member is listed as key personnel.

(d) Fulfillment of important responsibilities in the research enterprise.

(e) Clear evidence of regional recognition by peers.

(3) Professor.

(a) Terminal degree (or its equivalent) appropriate to the field.

(b) Established record of productive scholarship in high-quality venues such as peer-reviewed journals, conference proceedings, or books appropriate to the discipline.

(c) Established record of sustained research funding with substantial salary support from extramural grants and/or contracts on which the faculty member is listed as key personnel.

(d) Sustained fulfillment of important responsibilities to the research enterprise.

(e) Clear evidence of national or international recognition by peers.

f. Titles. All titles of research-track faculty shall contain the term "research" as a modifier. Exact titles must be stipulated in college procedures and approved by the Executive Vice President and Provost.

g. Promotion. The question of promotion of research-track faculty may be brought up during any regular promotions cycle. Candidates for promotion shall be evaluated primarily upon the quality of their research. Incidental teaching and service activities may also be given some consideration as permitted by collegiate and department guidelines. Promotion of research-track faculty will follow University and collegiate Procedures for Research-Track Promotion Decision Making at The University of Iowa. All recommendations for promotion of research faculty are submitted to the Board of Regents for approval.

h. Termination and non-renewal.

(1) Termination during the term of the appointment due to end of funding. In cases where a research track faculty member's funding ends before the end of the appointment, the faculty member shall receive three months' written notice prior to termination.

(2) Termination during the term of the appointment for reasons other than end of funding — i.e., for cause. Termination of a research track faculty member during the term of his or her appointment may also occur for failure to meet written standards of competence and performance established by the University or the unit.

(3) Non-renewal of appointment for reasons other than end of funding. Written notice of non-renewal or the intention not to renew an appointment shall be given according to the following standards:

(a) During an initial appointment on the research track, at least three months in advance of the last day of employment.

(b) During a second or subsequent appointment on the research track, at least six months in advance of the last day of employment.

(4) A decision for termination or non-renewal of research-track faculty is subject to the provisions of III-29 Faculty Dispute Procedures.

i. This policy shall be reviewed not later than five years following its implementation by a committee of the Faculty Senate appointed by the President of the Faculty Senate after consultation with the Executive Vice President and Provost. The review shall be completed within one academic year. Immediately following such review, the University of Iowa Faculty Senate shall vote on whether to renew this policy. Subject to paragraph h above (relating to termination and non-renewal), if the policy is not renewed, the research track shall be abolished.

10.11 Instructional Faculty Policy

(Faculty Senate 3/22/16; President 5/4/16)

Preamble. The purpose of this policy is to set parameters guiding the employment of instructional faculty across the University. While tenured and tenure-track faculty, with portfolios of teaching, scholarship, and service, are the foundation of the faculty at the University, colleges have the option to employ non-tenured faculty who are primarily engaged in the teaching mission.

The policy applies to all colleges that employ or continue to employ instructional faculty. It also sets requirements for individual colleges to develop policies related to instructional faculty within the college. As with other University-wide policies, collegiate policy shall further elaborate on but not contradict University policy. See III-10.11i below.

a. Definitions. Instructional faculty contribute predominantly to the teaching mission of the University and may also do some service. They may work for a single year or may dedicate many years of service. Instructional faculty typically occupy full-time positions, but must be 0.5 FTE or greater. They participate in the faculty governance process as described below and as defined by individual colleges and the Faculty Senate. They are not eligible for tenure.

Instructional faculty shall hold rank at Lecturer, Associate Professor of Instruction, Associate Professor of Practice, Professor of Instruction, or Professor of Practice. The Associate Professor/Professor of Instruction title is applicable when instructional faculty have an established record of excellence in teaching. The Associate Professor/Professor of Practice title is applicable when instructional faculty are distinguished professionals whose professional expertise and experience qualifies them to teach, advise students, develop curricula, or engage in other pedagogical activities related to their expertise.

b. Role of instructional faculty. Instructional faculty may be hired to teach courses or to educate and prepare students for their professional roles. Instructional faculty shall devote a substantial amount of their time to providing or overseeing the delivery of instruction to University of Iowa students in the classroom or in other settings appropriate to the discipline. Instructional faculty may also perform administrative and/or service functions; however, instructional faculty shall not be assigned primarily to perform service or administrative functions with few or no educational obligations. Similarly, research, scholarship, or artistic creation shall not be a requirement for appointment, reappointment, or promotion of instructional faculty, but may be considered as evidence of professional productivity if provided for by collegiate policy.

c. Hiring and terms of appointments. Salaried instructional faculty are searched for and appointed through University-wide recruitment processes. (See III-9 Hiring and Appointments.)

(1) Terms of appointments vary, based on rank:

(a) Lecturer: Upon meeting the qualifications prescribed in III-10.11d, and upon mutual agreement of an applicant and the department and/or college, an applicant may be appointed as an instructional faculty member at the rank of Lecturer. Lecturers shall receive one- to three-year appointments. Lecturer appointments shall terminate at the end of the contract period, but reappointment is possible at the discretion of the college.

Instructional faculty may choose to remain at the Lecturer rank indefinitely or may pursue promotion as described herein. Upon request of a Lecturer, a college may review a Lecturer for promotion according to applicable University and collegiate policies. This review ordinarily would occur during the sixth year of service; however, collegiate policy may allow the DEO or dean to choose not to review the Lecturer or to review the Lecturer at a different time. If the DEO or dean decides not to review the Lecturer during or after the sixth year of service and after the Lecturer has timely requested review, the DEO or dean shall communicate to the Lecturer in writing the reasons for the decision. A Lecturer's choice not to request promotion, or the DEO or dean's decision not to review or promote a Lecturer, does not automatically require termination of employment. (See III-10.11f Promotion.).

(b) Associate Professor of Instruction or Associate Professor of Practice: Upon meeting the qualifications prescribed in III-10.11d, and upon mutual agreement of the faculty member and the department and/or college, an instructional faculty member may be hired or promoted into the Associate Professor of Instruction or Associate Professor of Practice rank. Associate Professors of Instruction and Associate Professors of Practice shall receive three- to five-year appointments; however, if an applicant is initially hired into this rank, the college may choose to provide a probationary one- to three-year appointment. Associate Professors of Instruction and Associate Professors of Practice may choose to remain at this rank indefinitely or may pursue promotion as described

herein.

(c) Professor of Instruction or Professor of Practice: Upon meeting the qualifications prescribed in III-10.11d, and upon mutual agreement of the faculty member and the department and/or college, an instructional faculty member may be hired or promoted into the Professor of Instruction or Professor of Practice rank. Professors of Instruction and Professors of Practice shall receive three- to seven-year appointments; however, if an applicant is initially hired into this rank, the college may choose to provide a probationary one- to three- year appointment.

(2) A decision to terminate, not to renew, or not to promote an instructional faculty member may occur only as described in III-10.11g.

d. Qualifications for specific ranks. The ranks of instructional faculty shall be assigned according to the qualifications below, and in accordance with collegiate policies.

(1) Lecturer:

(a) Terminal degree or other educational qualifications appropriate to the position;

(b) Evidence of potential in teaching, which can be demonstrated through experience in classroom teaching (including as a teaching assistant), pedagogically related advising or mentoring, curriculum development, or other means; and

(c) Evidence of potential to contribute to departmental and collegiate service and/or professional productivity, if the appointment will require service and/or professional productivity.

(2) Associate Professor of Instruction:

(a) Terminal degree or other educational qualifications appropriate to the position;

(b) Established record of excellence in teaching; and

(c) Established record of excellence beyond teaching in professional productivity and/or service, if required and as defined by the college.

(3) Associate Professor of Practice:

(a) Terminal degree or other educational qualifications appropriate to the position;

(b) Experience and achievement in a profession relevant to the position;

(c) Established record of excellence in teaching, advising students, developing curricula, or other pedagogical activities related to expertise, or an established record of success in professional endeavors indicating the potential for such excellence; and

(d) Established record of excellence in professional productivity and/or service, if required and as defined by the college.

(4) Professor of Instruction:

(a) Terminal degree or other educational qualifications appropriate to the position;

(b) Sustained record of excellence across a range of teaching endeavors as recognized by faculty and students within the department, college, and/or University community; and

(c) Sustained record of excellence beyond teaching in professional productivity and/or service, if required and as defined by the college.

(5) Professor of Practice:

(a) Terminal degree or other educational qualifications appropriate to the position;

(b) Substantial experience and outstanding achievement in a profession relevant to the position;

(c) Sustained record of excellence in teaching, advising students, developing curricula, or other pedagogical activities related to expertise, or a sustained record of success in professional endeavors indicating the potential for such excellence; and

(d) Sustained record of excellence in professional productivity and/or service, if required and as defined by the college.

e. Titles. Colleges shall use the title Lecturer for the first rank of instructional faculty. Colleges may choose the Associate Professor/Professor of Instruction titles or Associate Professor/Professor of Practice titles, or both, for subsequent ranks. Colleges may use these titles in conjunction with particular subject matters, if desired (e.g., Professor of Practice in Marketing; Professor of Instruction in Legal Analysis, Writing, and Research). Exact titles shall be stipulated in college procedures and approved by the Office of the Executive Vice President and Provost (Provost).

f. Review and promotion. All reviews of instructional faculty shall be conducted according to written standards of competence and performance defined by the relevant units and in compliance with applicable University policies. Promotion of instructional faculty shall occur during the regular faculty promotion cycle and shall follow both collegiate procedures and Procedures for Instructional Faculty Promotion Decision-Making at The University of Iowa. Given that promotion decisions within instructional faculty ranks do not carry the same “up or out” decision associated with tenure, a negative recommendation on a promotion request need not translate into termination of employment.

g. Decisions to terminate or not to renew.

(1) Termination. Termination of instructional faculty during the term of the appointment shall be for failure to meet written standards of competence and performance established by the unit or violation of any applicable University policy.

(2) Non-renewal.

(a) A decision not to renew a Lecturer appointment that began in the first six years of service, or a probationary appointment at a higher rank, is within the discretion of the dean or designee and is not subject to dispute procedures.

(b) A decision not to renew any other instructional faculty appointment shall be for failure to meet written standards of competence and performance established by the unit, violation of any applicable University policy, changed economic circumstances, or program or curricular needs. A decision not to renew such an appointment is subject to dispute procedures only as defined herein.

(3) Notice. Notice of non-renewal of appointment, or of intention to recommend non-renewal after a stated period has elapsed, where required, shall be given in writing

or by email in accordance with the following standards.

(a) For Lecturer appointments beginning in the first six years of service, no notice is required. For Lecturer appointments beginning after the completion of six years of service, or for probationary appointments at higher ranks, notice shall be given at least three months in advance of termination.

(b) For all other appointments, notice shall be given at least six months in advance of termination.

h. Instructional faculty disputes.

(1) Scope and applicable review. These procedures provide the exclusive process within the University for review of administrative action or non-action concerning instructional faculty. These procedures do not substitute for or override University processes and procedures reserved for alternative forums or procedures, such as (but not limited to) those pertaining to investigation of research misconduct or sexual harassment.

(a) Instructional faculty members at the rank of Lecturer or on probationary appointments at a higher rank may challenge administrative action or non-action concerning their employment through the Administrative Review Procedures in paragraph h(2) below.

(b) Associate Professors of Practice/Instruction and Professors of Practice/Instruction who are not on probationary appointments may challenge administrative action or non-action concerning their employment through the Peer Review Procedures below. The Peer Review Procedures are not available to instructional faculty at any other rank.

(c) In a Title IX case, the applicable review procedures shall be modified with the Title IX Procedures also set forth separately below.

(2) Administrative Review Procedures. These procedures apply to instructional faculty members at the rank of Lecturer or on probationary appointments at a higher rank.

(a) Initiation of review. An instructional faculty member initiates a review by completing the Instructional Faculty Administrative Review (IFAR) Form regarding the administrative action or non-action being challenged. To preserve any due process rights, the instructional faculty member shall submit the IFAR Form in hard copy or by email to the appropriate party (see below) no later than 10 University business days after the faculty member's discovery of the action or non-action giving rise to the challenge.

(i) An instructional faculty member challenging any of the following actions or non-actions shall submit the form to the head administrator (ordinarily the dean) or designee, and the review shall proceed according to the procedures set forth in paragraph h(2)(b)(ii)-(iv) below (the local review step described in paragraph h(2)(b)(i) below is not applicable here):

(A) a decision to terminate the instructional faculty member during the term of appointment;

(B) a decision not to promote the instructional faculty member to a higher rank after a promotion review has been completed;

(C) a decision not to renew the instructional faculty member's appointment, if the appointment began after completion of six years of service; and/or

(D) a decision not to review the instructional faculty member for promotion, if the decision not to review occurred during or after the sixth year of service and the instructional faculty member timely requested review according to applicable collegiate and University policies.

(ii) An instructional faculty member challenging any administrative action or non-action other than those specified in paragraph h(a)(i) above shall submit the IFAR Form to the DEO, associate dean, or other immediate supervisor, and the review shall proceed according to procedures set forth in paragraph h(2)(b)(i)-(iv) below.

(b) Review process.

(i) Local review. The administrator receiving the IFAR Form will conduct a review and engage in discussions as appropriate. This departmental level review may include input from parties with relevant information to resolve the challenge. The participants will agree on a time frame for a response, ordinarily 15 University business days from receipt of the IFAR Form. On completion of the review, the administrator or designee shall complete the IFAR Form with the response and rationale and shall send the IFAR Form to the instructional faculty member, with copies to other appropriate administrators.

(ii) College or division review. The instructional faculty member may seek review at the college or division level by submitting the IFAR Form to the head administrator (ordinarily the dean) or designee within 10 University business days of receipt of the departmental response, or within 10 University business days after notice of the event giving rise to the challenge, as appropriate under this policy. Review and discussions at the college/division level may include input from parties with relevant information to resolve the challenge. The participants will agree on a time frame for a response, ordinarily 15 University business days from receipt of the IFAR Form. The collegiate/division administrator or designee shall complete the IFAR Form with the response and rationale and shall send the IFAR Form to the instructional faculty member, with copies to other appropriate administrators.

(iii) Provost review. The instructional faculty member may appeal the collegiate/division level response by sending the completed IFAR Form with a written request for review to the Associate Provost for Faculty within 10 University business days after receiving the collegiate/division determination. The Associate Provost for Faculty will review the information provided, consult as appropriate, and issue a written determination within 15 University business days of receiving the request for review.

(iv) Final action. The determination of the Associate Provost for Faculty shall constitute final University action, and the instructional faculty member may seek appeal from the Board of Regents, State of Iowa, pursuant to the policies of the Board.

(3) Peer Review Procedures. These procedures apply to non-probationary instructional faculty members at the rank of Associate Professor of Practice/Instruction or Professor of Practice/Instruction.

(a) Initiation of challenge. An instructional faculty member who wishes to challenge the legitimacy of some administrative action or non- action is encouraged to settle the matter through informal discussions with the DEO, dean, or other persons connected with the matter. If the matter is not settled informally to the instructional faculty member's satisfaction, the instructional faculty member may challenge the administrative action or non-action by stating the basis for challenge in writing or by email to the Associate Provost for Faculty no later than 10 University business days following the faculty member's discovery of the action or non-action giving rise to the challenge. As soon as is practicable, the Provost or designee shall notify the dean of the respective college of the challenge.

(b) Faculty committee. Within 10 University business days of the date of the notice the Provost or designee shall form a faculty committee to review the challenge. The committee shall be comprised of three faculty members, one of whom shall be an instructional faculty member at the same or higher rank as the grievant. If feasible, the three faculty members on the committee shall be from the same college as, but from different departments than, the grievant. The faculty committee shall meet with the grievant within 10 University business days of the committee's formation. In that meeting, the instructional faculty member shall explain the basis for the challenge and may submit supplemental materials related directly to it. The faculty committee also may obtain relevant information from the dean of the respective college or other appropriate sources.

(c) Committee consideration and recommendation. The faculty committee shall consider the challenge and related submissions and shall submit a concise written report with a recommendation to the Provost or designee within 15 University business days after meeting with the grievant.

(d) Decision and final action. The Provost shall issue a decision within 15 University business days after receiving the committee's report. The decision of the Provost shall constitute final University action in the matter, and the instructional faculty member may seek appeal to the Board of Regents, State of Iowa, pursuant to the policies of the Board.

(4) Title IX modification of the procedures. In a case subject to Title IX, the applicable review procedures shall be modified as follows:

(a) Within 3 University business days receipt of the notice of challenge, the Provost or designee shall provide the alleged victim a copy of the notice of challenge and an opportunity to respond in writing within 10 University business days of the alleged victim's receipt of the notice of challenge.

(b) Any administrator making a determination shall have completed appropriate Title IX training prior to meeting with the grievant or alleged victim.

(c) The administrator shall provide the alleged victim the same opportunity as the grievant to meet, to submit materials regarding the appeal, and otherwise to participate in the appeal.

(d) Upon final University action, the alleged victim as well as the grievant may seek an appeal to the Board of Regents, State of Iowa, pursuant to the Board's policies.

i. Collegiate policies and guidelines.

(1) Every college that offers salaried, non-tenure-track instructional faculty appointments shall develop its own written policy statement with respect to such appointments consistent with all the terms of this policy. Each policy shall address all of the following items:

(a) Justification for hiring instructional faculty. Each college shall provide a statement describing the justification for hiring instructional faculty, rather than tenure-track or tenured faculty, to fulfill the college's teaching mission.

(b) Participation of instructional faculty in faculty governance. Colleges are encouraged to integrate instructional faculty into relevant matters of collegiate and departmental governance, as appropriate. Specifically, colleges and departments are encouraged to allow instructional faculty to participate in the review of other instructional faculty. In addition, collegiate or departmental policy shall not permit instructional-track faculty to vote on the reappointment, tenure, or promotion of any tenured or tenure-track faculty member, but colleges and departments have discretion to decide whether instructional faculty may participate in the review of other faculty tracks.

(c) Evaluation of instructional faculty. Every instructional faculty member shall be evaluated annually, but not every annual evaluation must be equally extensive. Colleges shall define appropriate evaluations, including intervals for extensive and less extensive evaluations. Colleges shall specify the criteria used to evaluate instructional faculty, and those criteria shall be consistent with the instructional faculty member's workload allocation. See paragraph i(1)(g) below.

(d) Procedures for appointment, reappointment, and promotion of instructional faculty.

(e) Criteria for appointment, reappointment, and promotion for instructional faculty, including which degree(s) or educational qualifications are required under III-10.11d above.

(f) Service and/or professional productivity. The collegiate policy shall define what type of service and/or professional productivity, if any, is expected of instructional faculty, and this definition shall be applied to the evaluation criteria for appointment, reappointment, and promotion purposes. Research, scholarship, or artistic creation shall not be a requirement for appointment, reappointment, or promotion, but, if present, may be considered as evidence of professional productivity.

(g) Workload. Colleges shall specify the standard expectation for calculation of teaching and service load for its instructional faculty, including for part-time instructional faculty. Additionally, the colleges' individual employment contracts shall specify expectations for workload allocation (e.g., the percentage of time the faculty member shall devote to teaching, service, administration, or other functions) for each instructional faculty member.

(h) Eligibility to apply for tenure-track positions. Instructional faculty members may apply for open positions on the tenure-track, but they may be appointed to the tenure-track only one time during their career at The University of Iowa. Similarly, tenure-track faculty may apply for open instructional faculty positions, but an instructional faculty appointment shall not be used as an automatic default appointment for accomplished teachers who made an unsuccessful tenure bid. Colleges may further define their own policies related to switching of tracks.

(2) Each college adopting an instructional faculty policy shall monitor the percentage of its total salaried faculty (computed in FTEs) that hold salaried instructional faculty appointments. The Office of the Provost shall provide an annual report on the composition of the University faculty, including total numbers and percentages represented by each track, to the President of the Faculty Senate.

(3) Each collegiate instructional faculty policy, and any subsequent proposals to change the policy, shall obtain the approval of a majority of the voting faculty within the college by a referendum supervised by the Associate Provost for Faculty. Any proposal to adopt or to change a college's instructional faculty policy shall also be approved by the Provost or designee.

j. Integration of instructional faculty into University mission. Consistent with the role of instructional faculty and with institutional needs, instructional faculty shall be full participants in the educational mission and intellectual life of the University. The University, as well as individual colleges and departments, shall strive to integrate instructional faculty into faculty governance, to stimulate innovation and collaboration in their teaching and other endeavors, to promote diversity and inclusion among their ranks, and to protect their academic freedom.

k. Representation in Faculty Senate. Instructional faculty are eligible to vote in Faculty Senate elections and to hold Senate positions; however, no more than 10 percent of the

senators from any college, or one senator, whichever is greater, may be instructional-track faculty from that college. Instructional faculty may be appointed to any committees of the Senate or to University committees as a faculty representative.

l. Review of this policy. This policy shall be reviewed not later than five years following its implementation by a committee of the Faculty Senate appointed by the President of the Faculty Senate after consultation with the Provost or designee. The committee shall include representation by instructional faculty. This review shall include, but not be limited to, an evaluation of the:

(1) effect of this policy on the number of tenure-track, tenured, clinical, and adjunct faculty relative to instructional faculty at the University and in individual colleges;

(2) effect of this policy on the composition of Faculty Senate, Faculty Senate committees, and University committees; and

(3) instructional faculty dispute procedures in III-10.11h.

10.12 Fixed-Term Faculty Appointments

(President and Faculty Senate 4/13)

While the primary teaching responsibilities at The University of Iowa are fulfilled by tenure-track and tenured faculty, there are occasions when it is appropriate and necessary, in a limited context, to hire fixed-term faculty to teach courses and, in some cases, to participate in research and service. Fixed-term faculty appointments are made for a specific term length designated at the time of hire and subject to nonrenewal at the end of that term. Reappointment is possible for many fixed-term positions, subject to positive performance evaluations and educational need. Fixed-term faculty appointments include: 1) adjunct, 2) renewable term, and 3) visiting faculty. The percentage of time, length of appointment, assigned duties, and benefits eligibility vary (see III-9.6 Affirmative Action Employment Guidelines for hiring requirements and University Benefits for benefits eligibility guidelines). The requirements for the recruitment, hiring, and promotion of fixed-term faculty are detailed on the Office of the Provost's website under Fixed-Term Appointments (https://provost.uiowa.edu/fixed-term-appointments).

10.13 Exceptions to Employment Regulations

Contracts of employment made by the University with the members of its instructional staff are subject to the following exceptions and general regulations:

a. The employment of members of the Departments of Aerospace Military Studies and Military Science, and coaches of the University athletic teams in the Departments of Intercollegiate Athletics, whose tenures are fixed by the United States Air Force or Army, or by the Presidential Committee on Athletics respectively, are not governed by these regulations.

b. Deans, directors, chairpersons, or heads of departments have such academic rank as may be given them. The duties and titles of administrative officers are separate from their academic ranks. The dismissal or resignation of officers from an administrative position does not impair their rights in their academic rank.

III. Human Resources

Chapter 11 – Retirement
(Amended 9/93; 7/02; 6/05; 4/09; 1/11; 5/14; 10/15)

11.1 General

The mention of specific ages in the statement of retirement policies in the succeeding paragraphs of this section does not preclude raising the question of capacity to perform required work during the course of any person's employment with the University. In addition, the mention of specific retirement ages does not deprive the University of the right to terminate employment at any time for good and sufficient reason.

11.2 (Reserved for future use)

11.3 Phased Retirement Program
(Regents 12/16/81; amended 6/17/82, 6/20/84, 3/11/87, and 6/17/92; 4/09)

University faculty, professional and scientific, and merit system staff members holding permanent appointments of 50-percent time or greater are eligible to participate in the University's phased retirement program. Initiation of a Phased Retirement Agreement can only occur if all parties are mutually satisfied with the arrangements. Approval of the appropriate dean and the Office of the Executive Vice President and Provost is necessary for faculty. Approval of the appropriate dean, vice president, or Director of University Hospital and Clinics, as well as the Chief Human Resources Officer or designee, is necessary for professional and scientific and merit system staff. There is no right to enter the phased retirement program without the approval of all parties designated above. The phased retirement program is made available by the Board of Regents and can be modified or eliminated at any time. If this program is eliminated or modified, the terms of the program at the point of which an agreement is entered into will prevail, and those who have entered into an agreement with the University will be permitted to complete the terms of that agreement. An individual or department wishing information on the phased retirement program may obtain it by contacting the University Benefits Office, the Office of the Executive Vice President and Provost, or the Chief Human Resources Officer.

11.4 University Funded Retirement Plan
(Regents amended 6/24/71; 1/11; 10/15)

All University faculty and staff members (except students, fellows, house staff, adjunct faculty and others) must participate in a retirement plan and may elect to participate in the Funded Retirement Plan (TIAA) in lieu of the Iowa Public Employees Retirement System (IPERS). For details of these plans, see the Retirement section of the University Benefits Office website.

11.5 Tax Shelter Provision

See III-17.18(6).

11.6 Supplemental Retirement Annuities
(Amended 4/09; 1/11)

Each staff member has an opportunity to participate in the Voluntary Retirement Savings Program in addition to the University's retirement program. Information concerning this program is available in the Retirement section of the University Benefits Office website.

11.7 Emeritus Status for Retirees
(Regents 12/10/71; amended 7/01; 6/05; 5/14; 9/16)

The status and title of Emeritus are not entitlements; rather they are conferred upon certain faculty and staff members, described below, who retire after having served the University under honorable circumstances for a significant period of time, or, in other cases, may be conferred by central administration or the Board of Regents, State of Iowa.

a. Definitions.

(1) "Retire" means to terminate service from the University and be eligible to immediately receive retirement benefits under any approved University retirement plan.

(2) "Regular faculty" means tenured faculty or salaried clinical or research track faculty of the rank of professor, associate professor, or assistant professor.

(3) "Research scientists" means assistant, associate, and research scientists.

(4) "Research engineers" means assistant, associate, and research engineers.

(5) "Librarian/Law Librarian" means those holding the job titles Specialist Librarian, Expert Librarian, Senior Librarian, Associate Director, and University Librarian.

(6) "Honorable circumstances" means that the faculty or staff member was not terminated for cause.

(7) "Significant period of time" normally shall be construed as 10 or more years of continuous service.

b. Automatic conferral of emeritus faculty status. The following shall be accorded emeritus faculty status automatically when they retire from the University under honorable circumstances, including Long Term Disability, after serving the University for a significant period of time: 1) regular faculty, and 2) central administrative officers, deans, and directors, provided they also hold regular faculty status.

c. Automatic conferral of emeritus staff status. The following shall be accorded emeritus staff status automatically when they retire from the University under honorable circumstances, including Long Term Disability, after serving the University for a significant period of time: 1) research scientists, 2) research engineers, and 3) Librarians/Law Librarians.

d. Permissive conferral of emeritus status.

(1) Presidents. Presidents who do not qualify for emeritus status automatically under paragraph b may receive emeritus faculty status, as appropriate, by action of the Board of Regents.

(2) Upon the recommendation of the dean(s) of the college(s) in which the faculty member served and with the approval of the Executive Vice President and Provost, the following may be accorded emeritus faculty status:

(a) Regular faculty who retire or terminate their service to the University before having served a significant period of time;

(b) Non-regular faculty (e.g., adjunct faculty) of the rank of professor, associate professor, or assistant professor who terminate their service to the University under honorable circumstances after serving a significant period of time.

(3) The Executive Vice President and Provost may grant emeritus faculty status to central administrative officers, deans, and directors who otherwise would be eligible for emeritus status under paragraph b, except that they retire or terminate their service to the University either before having served a significant period of time.

(4) The Chief Human Resources Officer, in consultation with the Executive Vice President and Provost, may grant emeritus staff status to those who otherwise would be eligible for emeritus status under paragraph c, except that they retire or terminate their service to the University before having served a significant period of time.

(5) In all cases recommended under paragraphs d(2), d(3), or d(4), the relevant administrator shall confer with appropriate faculty (e.g., Faculty Council, Emeritus Faculty Council) or staff (e.g., Staff Council) bodies and shall accord great weight to the opinions of those faculty or staff bodies before determining emeritus status.

e. Titles. The title conferred upon achievement of emeritus status shall be the last held before retirement followed by Emeritus. For example, an Associate Professor would become Associate Professor Emeritus, an Adjunct Professor would become Adjunct Professor Emeritus, a Dean would become Dean Emeritus, an Assistant Research Scientist would become an Assistant Research Scientist Emeritus, and a Librarian/Law Librarian would become Librarian Emeritus. However, central administrative officers, deans, and directors, provided they also hold faculty status, may select either the administrative or faculty rank title followed by Emeritus, regardless of whether they retire directly from the administrative position or return to the faculty before retirement. Women who retire to emeritus status may notify the University that they wish to use Emerita officially and may use that title informally whether or not they notify the University.

f. Process. Appointments to emeritus status (and deletions due to deaths) shall be included in the Register of Personnel Changes and shall be reported through appropriate channels for personnel changes to the Human Resources Office.

g. Limitations. Failure of a University administrator to recommend or approve a faculty or staff member for emeritus status when conferral of such status is permissive is not subject to review under any of the University's grievance procedures.

III. Human Resources

Chapter 12 – Termination of Appointment
(Amended 9/93; 3/01; 3/02; 3/06; 7/1/17)

12.1 General
(Amended 3/01; 3/02)

Departments report resignations, dismissals, and all absences without pay no later than the effective date thereof. Failure to furnish such reports promptly results in overpayments of salary which must be recovered. Departmental executive officers should be aware that under the law they are personally responsible for all nonrecoverable overpayments which occur because of failure to make the necessary reports promptly.

Any termination of service is reported on forms designed for that purpose which can be obtained through University Employee Self Service. (Terminations are not to be reported by telephone.) It is not sufficient to rely upon the inclusion of a resignation date in the original statement of employment or the failure to include a name in a new budget as adequate notification of termination of employment. All departments are to use the Termination of Employment form in the case of every individual who severs connections with the University so that the staff member's records and other University records are complete.

The Termination of Employment form is to indicate the last day of service. For staff and faculty with an accrued vacation balance at termination, the accrued vacation balance will be paid as a lump sum at the current hourly rate of pay and is not to be used to extend the last day of service.

12.2 Non-Renewal of Probationary Academic Appointments

Notice of non-renewal of a probationary appointment of a faculty member, or of intention not to recommend reappointment after a stated period of a probationary appointment has expired, is given in writing in accordance with the following standards:

a. Not later than March 1 of the first academic year of service, if the appointment expires at the end of that year; or, if a one-year appointment terminates during an academic year, at least three months in advance of its termination.

b. Not later than December 15 of the second academic year of service if the appointment expires at the end of that year; or, if an initial two-year appointment terminates during an academic year, at least six months in advance of its termination.

c. At least twelve months before the expiration of an appointment after two or more years in the institution.

12.3 Merit System Staff
(Amended 3/02)

Resignations are reported on a form provided for that purpose through University Employee Self Service. It is important that the last day of work be indicated.

12.4 Graduate Assistant Dismissal Procedure
(Regents 11/13-14/69; amended 3/8/06; 7/1/17)

a. Preamble. The following procedure is adopted to provide guidance regarding the potential dismissal of graduate assistants during the term of their employment. This procedure is not applicable to decisions regarding reappointment or to changes of assignment within an appointment.

This procedure recognizes the statutory power of the Board of Regents, State of Iowa, to employ and discharge employees of the University (IC 262.9(2)).

Graduate students holding graduate assistant appointments also must remain students in good standing with their academic program. Evaluation of academic performance and procedures for dismissal from student status in a graduate program for academic reasons are described in the Manual of Rules and Regulations of the Graduate College. Procedures for dismissal from student status due to violations of the University's Code of Student Life are described in Policies and Regulations Affecting Students.

b. Definitions. As used in this policy:

(1) Graduate student — a person enrolled in the University as a graduate and/or professional degree candidate.

(2) Graduate assistant — a graduate student employed as a teaching or research assistant.

(3) Immediate supervisor — the person directly charged with directing or supervising the employment activities of a graduate assistant, and/or a departmental or collegiate administrator charged with the general supervision of the relevant graduate assistant.

(4) Appointing DEO — the departmental executive officer or director of the department in which the graduate assistant is employed.

(5) Academic dean — the dean of the college in which the graduate assistant is registered as a student.

(6) Appointing dean/vice president — the dean of the college or vice president of the division in which the graduate assistant is employed.

c. Grounds for dismissal of graduate assistant appointees. Graduate assistants serve as temporary employees of the University and may be subject to dismissal during the term of their employment as outlined below:

(1) Enrollment in a graduate or professional program is a requirement to hold a graduate assistantship. Graduate assistants may be dismissed during the term of their employment for failure to register for classes or otherwise maintain enrollment in a graduate or professional program. Exceptions to this requirement may be made:

(a) if a leave of absence from the academic program has been approved by the Graduate College or professional program, or

(b) for summer assistantships without registration for summer classes, if the graduate assistant has pre-registered for the fall prior to the end of the spring semester.

(2) Graduate assistants may be dismissed during the term of their appointment for failure to maintain satisfactory academic progress in a degree or professional program, which may be evidenced by the failure to maintain a minimum grade point average or other requirements of the academic program.

(3) Graduate assistants may be dismissed during the term of their appointment as the result of sanctions arising from violations of the Code of Student Life.

(4) Graduate assistants may be dismissed during the term of their appointment due to an unanticipated loss of funding following a notice of 30 calendar days.

(5) Graduate assistants may be dismissed during the term of their appointment for proper cause related to job performance. Proper cause exists when the graduate assistant has failed to meet a duty, obligation, or stated expectation of performance established by his or her immediate supervisor, or the graduate assistant has violated a University, collegiate, or departmental policy. Graduate assistants may be subject to immediate dismissal for serious or repeated actions creating proper cause. Lesser offenses may result initially in progressive disciplinary action, but also may lead to dismissal for proper cause.

(6) Graduate assistants may be dismissed from their appointment for failure to return to duty following an approved leave from their assistantship.

d. Procedures.

(1) Before any decision is made to dismiss a graduate assistant from his or her appointment, the appointing DEO or his or her designee shall meet with the graduate assistant and inform him or her in writing of the grounds for potential dismissal. The graduate assistant will be given an opportunity to respond in person or in writing. If the potential for dismissal arises from the graduate assistant's lack of satisfactory job performance, the graduate assistant may have a witness observer be present at any meeting held to discuss the basis for potential dismissal. Graduate assistants may be placed on paid suspension pending a final determination regarding the graduate assistant's employment.

(2) The appointing dean/vice president or his or her designee shall review the facts and circumstances, including the department's recommendation and the graduate assistant's response, using any necessary and appropriate fact-finding methods, and shall make a determination regarding dismissal or other disciplinary action. The appointing dean/vice president or designee shall write a letter of determination to the graduate assistant with a copy to the employing department. Copies of all dismissal or disciplinary actions also shall be provided to the Dean of the Graduate College and the academic dean, if not in the Graduate College.

(3) Graduate assistants may appeal dismissals during the term of their employment under the terms of this policy using the following procedure. (Alleged violations of the application and interpretation of the collective bargaining agreement are reserved for the contract grievance procedure for those graduate assistant employees covered by a collective bargaining agreement.)

(a) The graduate assistant must initiate the appeal within 15 working days of the date of dismissal by the appointing dean/vice president.

(b) The appeal shall commence by the graduate assistant presenting the appeal in writing to the appointing dean/vice president. The graduate assistant also may request a meeting to discuss the basis of the appeal. The appointing dean/vice president or his or her designee shall respond in writing within 5 working days of receipt of the written appeal or the meeting, whichever is later. Copies of the response shall be sent to the employing department and to the Dean of the Graduate College and the academic dean, if not in the Graduate College.

(c) The graduate assistant shall have the right to be accompanied by a representative throughout the appeal proceedings.

(d) If the appointing dean/vice president's response fails to satisfy the graduate assistant, the graduate assistant may file a written appeal with supporting documentation with the Office of the Executive Vice President and Provost within 5 working days of receipt of the appointing dean/vice president's response. Upon receipt of this written appeal, the Provost or his or her designee (hereafter 'Provost') shall request that the appointing dean/vice president promptly submit a copy of the dismissal letter and all supporting documentation used in the dismissal decision and subsequent appeal.

(e) Within 5 working days of the receipt of the written appeal and all relevant materials from both parties, or as soon thereafter as feasible, the Provost shall call a meeting of the graduate assistant and the appointing dean/vice president or his or her designee, to review the process and reasonableness of the dismissal. At this meeting, the parties may present arguments and/or written evidence in support of their position. The final administrative determination shall be made by the Provost. The final determination shall be communicated in writing within 5 working days of the meeting to the graduate assistant, the appointing DEO, the appointing dean/vice president, the Dean of the Graduate College, and the academic dean, if not in the Graduate College.

(See also II-29 Hearing Regulations for Alleged Violations of Regents Rules.)

III. Human Resources

Chapter 13 – Oral Communication Competence of Instructional Staff

(Regents 1/29/91; amended 9/93; 5/13)

13.1 Policy Implementation Plan

For the purpose of implementing the Regents' policy on oral communication competence each department or program must prepare a plan incorporating the following elements.

a. New Appointments.

(1) Assessment of relevant communication skills as part of the documentation in support of filling any faculty or teaching assistant position.

(2) Confirmation that all prospective faculty and teaching assistants exhibit communication skills adequate to any duties to which they are assigned.

b. Periodic Assessment and Evaluation.

(1) Provision for evaluation of all faculty members and teaching assistants by the end of any semester in which they have sufficient direct contact with students to render such evaluation meaningful. This procedure must include, at a minimum, a mechanism for written student evaluation.

(2) Provision for a preliminary assessment, within the first eight weeks of the assignment of teaching duties, of all faculty members and teaching assistants who have not previously taught at the University.

(3) Provision for the assessment of communication skills as part of all peer reviews of teaching effectiveness of faculty. In particular, adequate communication skills will continue to be among the criteria for promotion and tenure of teaching faculty.

(4) Provision for informing students of departmental, collegiate, and University protocols concerning student complaints.

(5) A procedure for dealing with problems revealed by the evaluations described above.

This plan will be filed with the appropriate dean or administrative officer. It will be the responsibility of the departmental executive officer or program officer to implement this policy and to ensure that adequate standards of oral communication competence are maintained in the unit.

(IC 262.9(25); BRPM 3.21)

III. Human Resources

Chapter 14 – Teaching Proficiency Standards for Teaching Assistants

(Regents 1/29/91; amended 5/13)

14.1 Purpose

For the purpose of implementing the Regents' policy on teaching proficiency standards for teaching assistants (Board of Regents document "Regents Policy on Teaching Proficiency Standards for Teaching Assistants," 1-29-91), each department or program will prepare a plan incorporating the following elements:

a. A procedure for selecting and training all teaching assistants.

b. A procedure for evaluating all teaching assistants for teaching proficiency by the end of each academic period in which they are employed in a teaching capacity. This procedure should allow for systematic evaluation by students and by faculty advisors. For teaching assistants who have not previously taught at the University, a preliminary assessment should also occur within the first eight weeks of the first semester in which they are assigned teaching duties.

c. A procedure for providing additional instructional assistance for teaching assistants when warranted. This procedure should provide for the possibility of assistance in the areas of teaching methods, evaluation of student performance, oral and written communication, and subject matter.

d. A procedure for addressing concerns raised by students regarding the teaching proficiency of their teaching assistants.

This plan will be filed with the appropriate dean or administrative officer. The Office of the Executive Vice President and Provost will provide each teaching assistant with a handbook on teaching.

14.2 Implementation

It will be the responsibility of the Departmental Executive Officer or Program Director to implement this policy and to ensure that adequate standards of performance by teaching assistants are maintained in the unit and, in particular, to ensure that the unit is in full compliance with the regulations involving certification of teaching assistants whose first language is not English as described in "English Proficiency Certification of Graduate Teaching Assistants Whose First Language Is Not English" (2-2-88).

(IC 262.9(25) and (26))

III. Human Resources

Chapter 15 – Professional Ethics and Academic Responsibility

(President 5/73; Board of Regents amendment 1/19/94; 5/07; 10/09)

15.1 General

The basic functions of the University are the advancement and dissemination of knowledge, the development of critical intelligence, and the education of citizens and professional workers for the society of which the University is a part.

The indispensable condition for the successful discharge of these functions is an atmosphere of intellectual freedom. Unless he or she is free to pursue the quest for knowledge and understanding, wherever it may lead, and to report and discuss the findings, whatever they may be, the University faculty member cannot properly perform his or her work. As a participant in an enterprise that depends upon freedom for its health and integrity, the faculty member has a special interest in promoting conditions of free inquiry and furthering public understanding of academic freedom.

Freedom entails responsibilities. It is incumbent upon the faculty member to accept the responsibilities which are concomitant with the freedom he or she needs.

Those responsibilities are: 1) to students, 2) to scholarship, 3) to colleagues, 4) to the University, and 5) to the larger community which the University serves. To make these responsibilities operational, it is necessary that ethical and professional standards be adopted to guide faculty members in their conduct and that effective mechanisms be established to monitor and enforce compliance with these standards.

15.2 Responsibilities to Students

(Board of Regents amendment 1/19/94; Faculty Senate 12/95; amended 5/07)

As a teacher, the faculty member has the responsibility for creating in his or her classroom or laboratory a climate that encourages the student's endeavors to learn. The faculty member should exemplify high scholarly standards and respect and foster the student's right to choose and pursue his or her own educational goals.

a. The faculty member must make clear the objectives of the course or program, establish requirements, set standards of achievement, and evaluate the student's performance.

b. The faculty member has the responsibility to meet classes as scheduled and, when circumstances prevent this, to arrange equivalent alternate instruction.

c. The faculty member has the responsibility to teach courses in a manner that is consistent with the course description and credit published in the catalog and with the announced objectives of the course. He or she must not intentionally interject into classes material or personal views that have no pedagogical relationship to the subject matter of the course.

d. In order to facilitate student learning, faculty members should present the appropriate context for course content. While challenge is essential to good teaching, challenge is ordinarily most effective when students are adequately prepared to deal with course materials. On controversial issues within the scope of the course a reasonable range of opinion should be presented. When the faculty member presents his or her own views on such issues, they should always be identified as such. Wherever values, judgments, or speculative opinions constitute part of the subject matter, they should be identified as such and should not be offered as fact.

e. The faculty member owes to the student and the University a fair and impartial evaluation of the student's work. Such evaluation should be consistent with recognized standards and must not be influenced by irrelevancies such as religion, race, sex, or political views, or be based on the student's agreement with the teacher's opinion pertaining to matters of controversy within the discipline.

f. Every student is entitled to the same intellectual freedom which the faculty member enjoys. The faculty member must respect that freedom. Restraints must not be imposed upon the student's search for or consideration of diverse or contrary opinion. More positively, the faculty member has an obligation to protect the student's freedom to learn, especially when that freedom is threatened by repressive or disruptive action. The classroom must remain a place where free and open discussion of all content and issues relevant to a course can take place. While students remain responsible for learning class material and completion of course requirements, faculty should respect reasonable decisions by students, based on their exercise of their own intellectual freedom, not to attend part or all of a particular class session.

g. The faculty member has obligations as an intellectual guide and counselor to students. He or she has a responsibility to be available to students for private conferences. In advising students, every reasonable effort should be made to see that information given to them is accurate. The progress of students in achieving their academic goals should not be thwarted or retarded unreasonably because a faculty member has neglected his or her obligation as advisor and counselor.

h. Faculty members are expected to hold regularly scheduled office hours and otherwise be reasonably available for appointments with students. Faculty members teaching online courses or those not located on campus may use electronic communications in lieu of office hours.

i. The faculty member should conduct himself or herself at all times so as to demonstrate respect for the student. He or she should always respect the confidence deriving from the faculty-student relationship.

j. The faculty member must avoid exploitation of students for personal advantage. For example, in writings and oral presentations, due acknowledgment of their contributions to the work should be made.

k. In order that students can make knowledgeable choices about whether to take a particular course, it is the faculty member's responsibility to provide, on the first day of class, a course syllabus, in either electronic or paper format, containing the following information:

(1) the instructor's name, office, office hours, and contact information (a valid uiowa.edu email address and a telephone number, if available). If the instructor is a teaching assistant, the syllabus should also include the course supervisor's name, office, office hours, and contact information;

(2) goals and objectives of the course;

(3) course content and schedule of topics;

(4) list of readings and/or other anticipated course materials;

(5) expectations for attendance, assignments, and examinations;

(6) dates and times of any examinations scheduled outside of class time;

(7) grading procedures including whether plus/minus grading will be used;

(8) statement on the availability of accommodations for students with disabilities;

(9) resources for obtaining additional help, such as tutors or teaching assistants;

(10) any changes in information about the course from that which appears in official University notices, such as the General Catalog or MyUI; and

(11) a statement describing what forms of electronic communications, if any, will be employed for student contact and the expectations for typical response times. Reference should be made to University policy, which specifies that students are responsible for all official correspondence sent to their standard University of Iowa email address (@uiowa.edu). (Privacy considerations, such as federal law, may apply when using an address other than the standard University email address. The University provides guidance for acceptable etiquette when utilizing electronic communication technologies.)

l. At the beginning of each course, students should be informed of departmental and collegiate complaint procedures and services of the Office of the University Ombudsperson. Complaints should be initiated at the faculty or departmental level. If a complaint cannot be resolved at the departmental and/or collegiate level, students may file a formal complaint utilizing the procedure specified in II-29.7.

15.3 Responsibilities to Scholarship

The faculty member's responsibilities to scholarship derive from the University's commitment to truth and the advancement of knowledge. Furthermore, society has a vital stake in maintaining the University as an institution where knowledge can be sought and communicated regardless of its popularity, its political implications, or even its immediate usefulness. The faculty member has an ethical responsibility both to make full appropriate use of that freedom in his or her teaching and research and to guard it from abuse. More specifically:

a. A faculty member is committed to a lifetime of study. Although no one can know everything, even about a limited subject, he or she must constantly strive to keep abreast of progress in his or her field, to develop and improve his or her scholarly and teaching skills, and to devote part of his or her energies to the extension of knowledge in his or her area of competence.

b. The faculty member has the responsibility of being unfailingly honest in research and teaching. He or she must refrain from deliberate distortion or misrepresentation, and must take regular precautions against the common causes of error.

c. In order to maintain or increase effectiveness as a scholar, a faculty member may find it advantageous to assume certain obligations outside the University, such as consulting for government or industry, or holding office in scholarly or professional societies. Such activities are appropriate in so far as they contribute to his or her development as a scholar in his or her field, or at the very least, do not interfere with that development. On the other hand, acceptance of such obligations primarily for financial gain, especially when such activities may be incompatible with the faculty member's primary dedication as a scholar, cannot be condoned.

15.4 Responsibilities to Faculty and Staff Colleagues

(Amended 10/09)

The faculty member has obligations that derive from common membership in the community of academics. The faculty member respects and defends the free inquiry of others and avoids interference with their work. The faculty member refrains from personal vilification; threatening, intimidating, or abusive language; or conduct that creates a hostile work environment. The faculty member acknowledges contributions of others to the faculty member's work. When asked to evaluate the professional performance of another, the faculty member strives to be objective. In the exchange of criticisms and ideas, the faculty member should show due respect for the rights of others to express differing opinions. However, vigorous debate and criticism are not to be viewed as a lack of respect.

15.5 Responsibilities to Institution

The faculty member's primary responsibility to his or her institution is to seek to realize his or her maximum potential as an effective scholar and teacher. In addition, the faculty member has a responsibility to participate in the day-to-day operation of the University. Among the faculty member's general responsibilities to the University, the following may be particularly noted:

a. When a faculty member acts or speaks as a private person, he or she should make clear that his or her actions and utterances are entirely his or her own and not those of the University.

b. The faculty member must never attempt to exploit his or her standing within the University for private or personal gain. The faculty member may, on appropriate occasions, cite his or her connection with the University, but only for purposes of personal identification. The faculty member must not permit the impression to prevail that the University in any way sponsors any of his or her activities.

c. University facilities, equipment, supplies, and other properties must never be used for personal or private business.

d. A faculty member has the duty to ensure that the regulations of the University are designed to achieve the University's goals as well as being in accord with the principles of academic freedom. Recognizing the importance of order within the institution, the faculty member observes the regulations of the University, but in no way abdicates his or her right to attempt to reform those regulations by any appropriate orderly means.

e. Effective faculty participation in the governance of the University promotes academic freedom and the goals of the institution. Each faculty member should take part in his or her institution's decision-making processes to the best of his or her ability and should accept a fair share of the faculty's responsibility for its day-to-day operation.

f. During periods of disturbance or high tension on campus, a faculty member should take reasonable steps to prevent acts of violence and to reduce tension.

g. Subject to the requirements of this statement and other institutional regulations, a faculty member determines the amount and character of the work and other outside activities he or she pursues with due regard to his or her paramount responsibilities within the University and primary loyalties to it.

15.6 Responsibilities to the Community

As a member of the community, the faculty member has the rights and obligations of any citizen. These include the right to organize and join political or other associations, convene and conduct public meetings and publicize his or her opinion on political and social issues. However, in exercising these rights, the faculty member must make it clear that he or she does not speak for the University, but simply as an individual. The faculty member does not use the classroom to solicit support for personal views and opinions.

Because academic freedom has traditionally included the faculty member's full freedom as a citizen, most faculty members face no insoluble conflicts between the claims of politics,

social action, and conscience, on the one hand, and the claims and expectations of their students, colleagues, and institutions on the other. If such conflicts become acute, and the faculty member's attention to his or her obligations as a citizen and moral agent precludes the fulfillment of substantial academic obligations, the responsibility of that choice cannot be escaped, but the faculty member should either request a leave of absence or resign his or her academic position.

III. Human Resources

Chapter 16 – Ethics and Responsibilities for University of Iowa Staff

(3/1/02; amended 1/05; 9/05; 3/08; 2/13)

16.1 Preamble

Staff members of the University are integral members of the campus community, as they work to support the University's threefold mission of teaching, research, and service. They provide services necessary for a high quality educational experience to undergraduate, graduate, and professional program students. They provide services to and participate in the various research endeavors conducted at the University. Staff members also provide a myriad of direct services to students, families, the greater University community, and the State of Iowa.

16.2 Policy

(Amended 1/05)

a. Staff members will adhere to ethical standards of professional conduct and act in a manner consistent with the University's mission and core values for excellence, learning, community, diversity, integrity, respect, and responsibility.

b. The accountabilities reflected in this policy statement are essential to the full achievement of the University's mission and goals. The policy is a product of the University's accountability to the citizens of the state, as public employees of the State of Iowa. The adherence to these ethical standards should be reflected both in the work product of each staff member, and in staff member's interactions with students, colleagues, customers, and clients of their work. It is the obligation of each University of Iowa staff member to make a good faith effort to understand these standards and to conduct themselves accordingly.

   In addition, University staff members are expected to comply with all Board of Regents, State of Iowa, policies, including the Regents Code of Business and Fiduciary Conduct. Employing units of the University also may establish more specific expectations in addition to these standards or elaborate on these standards in greater detail, such as the Code of Ethical Conduct specific to University of Iowa Hospitals and Clinics. Such expectations will be clearly communicated to affected staff.

c. Violations of this policy may result in disciplinary action. Supervisors will investigate and appropriately address perceived violations of the Policy on Ethics and Responsibilities with individual staff members under their authority. Reports of alleged violations of the policy initiated by other members of the University community may be initiated through the Administrative Review procedures (III-28.2), unless specifically reserved to a particular procedure defined in University policy.

d. Alleged violations of University policies should be investigated and addressed promptly, following appropriate procedures for performance management and/or discipline. Disciplinary sanctions may include written letters of discipline, paid or unpaid disciplinary suspensions, and/or termination of employment as warranted by the individual circumstances. Unpaid suspensions may be applied to salaried staff exempt from the Fair Labor Standards Act for violation of written policies governing workplace conduct rules or for violations of state or federal laws. Disciplinary sanctions should be taken only as necessary to ensure the standards of conduct and performance are maintained.

16.3 Definitions

a. "Members of the University community" means faculty, staff, and students; and any individuals using University of Iowa resources or facilities, or receiving funds administered by the University; including University affiliates, and volunteers and representatives who may speak or act as agents for the University, or any other individuals staff members may interact with in the course of their employment.

b. "Staff members" as referenced in this policy includes the Professional and Scientific and Merit system employees of the University, as well as formally appointed administrators in their capacity in making non-academic decisions (Executive Vice President and Provost, vice presidents, deans, directors and departmental executive officers).

16.4 Ethics and Responsibilities

(Amended 3/08; 2/13)

a. Professional conduct. Staff members will conscientiously and professionally fulfill their assigned responsibilities relative to faculty, students, colleagues, customers, and clients. They will meet reasonable standards of work quality and quantity, as established by their supervisor. They will act with honesty and integrity in all matters related to their employment. When fulfilling workplace responsibilities in supervision of other staff, supervisors will demonstrate professional conduct through both instruction and example. All staff will support intellectual freedom among all members of the University. For example:

   (1) Staff will report to work free of influence of alcohol and drugs that may impair their performance and able to perform their work in a safe manner.

   (2) Staff will refrain from unauthorized use of work effort or resources for non-University business.

   (3) Staff will maintain regular attendance and provide an acceptable quantity and quality of work.

   (4) Where appropriate, staff will promote and protect diversity of opinion in the workplace, in support of intellectual freedom.

   (5) Supervisors will be responsible to encourage the intellectual and professional growth of staff members for whom they have supervisory responsibility.

b. Fairness. Staff will be fair and treat equitably all members of the University community. For example:

   (1) Staff will adhere to and promote the University Policy on Human Rights (II-3).

   (2) Staff will disclose and manage any real or reasonably perceived conflicts of interest (see II-18 and III-8), so as not to interfere with objective judgment.

   (3) Supervisors will be held accountable for fairness related to those staff members for whom they have supervisory responsibility, and will carry out their supervisory responsibilities consistent with the standards outlined in this policy.

   (4) The equitable treatment of staff will be based upon consideration of the relevant facts and circumstances to the individual situations, which may lead to differences in treatment based upon these factors.

c. Civility. Staff will treat members of the University community with dignity and respect. Staff must not engage in, nor permit incivility in or affecting the workplace or classroom. For example:

   (1) Staff will respect the diversity of individuals in the workplace and respect the differences among them.

(2) Staff will not use threatening, intimidating, or abusive language, or otherwise engage in conduct that creates a hostile environment that interferes with work of the unit.

(3) Staff will comply with the University Policy on Violence (II-10).

(4) Supervisors will establish and maintain standards for collaborative interaction among peers and employees that is characterized by respect, honesty, and service, and will constructively manage conflict as it occurs.

d. Compliance. Supervisory staff will see that those who report to them are informed about, understand, and comply with laws, regulations, policies, or procedures. Staff will understand and comply with federal, state, and local laws and regulations related to their duties. Staff are responsible for adherence to University policies and procedures. For example:

(1) Staff will comply with health and safety regulations and policies, including those governing the reporting of workplace injuries or illnesses, and use of hazardous materials in the workplace.

(2) Staff will comply with University policies governing the use and protection of University resources.

(3) Staff will comply with procedures to assure the ethical treatment of humans and animals in research.

(4) Staff will report any unsafe workplace conditions or practices to appropriate University authorities.

(5) Senior managers are responsible for the compliance to the Regents Code of Business and Fiduciary Conduct for themselves and also those for whom they are responsible.

e. Information and data management. Staff will act with honesty and integrity with respect to information and data management, and will respect the rights and dignity of all University members by keeping confidential information secure, including patient records, student records, library circulation records, and employee personnel, grievance, and medical files. For example:

(1) Staff will refrain from any breach of confidentiality, falsification, fabrication, destruction, inappropriate and/or unacknowledged appropriation, or other misuse of data, and shall report any violations of such to appropriate administrative authority.

(2) Supervisors are responsible to establish appropriate safeguards for the information and data under their authority, and to assure their staff members have the ability and expectation to comply with appropriate expectations for the protection and appropriate use of this information.

(3) All staff will adhere to the University policy on the Acceptable Use of Information Technology Resources (II-19).

f. Stewardship. Staff will exercise fairness, integrity, and respect in the use of University resources, and will be responsible and accountable for the appropriate use of University equipment, facilities, and all other University assets. For example:

(1) Staff will safeguard University time and property from inappropriate use, appropriation, or abuse.

(2) Staff will not accept money for research or gifts on behalf of the University or as part of their University activities except as prescribed by University policy (see II-35).

(3) Staff will assure that all funds provided for research must be spent in ways consistent with the funding documents and in compliance with the guidelines on allowable costs.

(4) Staff in charge of budgets will monitor records of expenditures for compliance with University policies and procedures and will allow these records to be viewed by appropriate parties.

(5) Staff are strongly encouraged to report potential financial fraud or other inappropriate use of University assets through one of the following options:

(a) Through their normal line of authority, starting with their supervisor, or anyone above, or,

(b) To any financial or Human Resources representative within their organizational unit (e.g., college), or,

(c) To a central University office such as University Controller, University Human Resources/Employee and Labor Relations, Office of General Counsel, or Office of Internal Audit,

(d) In the case of possible criminal activity, the Department of Public Safety, 808 University Capitol Centre, or

(e) Through EthicsPoint website or hotline at 1-866-294-9350, or

(f) UI Health Care Employees may report through the Joint Office for Compliance Helpline at Compliance@healthcare.uiowa.edu or at 319-384-8282.

The University's Anti-Retaliation policy (II-11) prohibits adverse actions resulting from the filing of a report of University-related misconduct.

(6) Supervisors are responsible for the staff assigned to them, and will correct, through education, coaching or discipline, any violations of University policy or lack of satisfactory performance.

g. Relevant policies. In order to fully comply with this statement on professional ethics and responsibilities, it is essential that staff understand and comply with all University of Iowa regulations relevant to their employment. In particular, staff members need to understand the expectations contained in the following University of Iowa policies and statements listed below:

(1) Nondiscrimination Statement: II-6

(2) Disability Protection Policy and Accessibility Statement: II-7

(3) Sexual Harassment: II-4

(4) Statement on Diversity: II-8.2

(5) Human Rights: II-3

(6) A Drug Free Environment: II-12

(7) Violence: II-10

(8) Physical and Sexual Abuse of Children: II-15

(9) Anti-Harassment: II-14

(10) Financial Fraud Policy and Processes to Prevent and Detect Its Occurrence: https://controller.fo.uiowa.edu/financial-fraud-policy-and-processes-prevent-and-detect-its-occurrence

(11) Regents Code of Business and Fiduciary Conduct: www.iowaregents.edu/plans-and-policies/board-policy-manual/22-business-procedures/#Code-of-Business-and-Fiduciary-Conduct

h. Additional relevant policies. Other relevant policies may include the following, depending upon the staff member's position and responsibilities:

(1) Ethics in Research: II-27.6

(2) University Work Rules for Merit Staff: https://www.legis.iowa.gov/docs/ACO/chapter/03-21-2012.681.3.pdf

(3) Stewardship of Personnel Files: III-7

(4) Acceptable Use of Information Technology Resources: II-19

(5) Anti-Retaliation: II-II

(6) Conflicts of Commitment and Interest: II-18

(7) Conflict of Interest in Employment: III-8

(8) Self-Identification through Use of University Name: II-33

(9) Prohibition on Giving and Receiving Gifts: II-35

Where it would be difficult for staff to access, read, and/or understand these policies, it is the responsibility of the immediate supervisor to facilitate the communication of each of these policies or statements to the individual staff member. University staff will comply with the terms of relevant University policies as part of their employment obligation.

III. Human Resources

Chapter 17 – Compensation

(Amended 9/93; 3/02; 5/04; 10/04; 8/05; 12/05; 1/06; 4/06; 7/06; 1/07; 3/07; 7/07; 7/08; 3/10; 6/10; 10/31/11; 3/12; 11/12; 1/13; 9/13; 5/14; 10/15; 10/16; 5/17; 7/1/17)

17.1 Payroll Dates

(Finance Committee 11/21/45; 9/24/60; amended 3/02; 10/04; 4/06)

The payroll period for all staff members budgeted on a monthly or annual basis shall be from the first to the last day of the month inclusive. Salary checks are distributed on the first workday of the following month. Days not included as workdays are Saturday and Sunday, plus any day recognized as a federal holiday.

With the exception of the academic year pay plan as described in III-17.6, there are no salary checks issued in advance of the scheduled period of service.

Persons employed on an hourly basis are paid on a biweekly payroll. Hours to be paid are reported via Employee Self Service, due in the Payroll Department by 8:00 a.m. on the Tuesday following the close of the biweekly pay period. Departments that submit this information electronically transmit the data to Payroll according to a predetermined schedule. Checks are issued on the following Tuesday. If Tuesday is a recognized federal holiday, checks will be issued on the first workday following Tuesday.

Please check the following web link to determine if a day is recognized as a federal holiday: www.opm.gov/policy-data-oversight/snow-dismissal-procedures/federal-holidays/.

All recommendations for placing an individual on the payroll, including hourly vouchers, special vouchers and any adjustment in the regular payroll, must be in the Payroll Department by the close of business on the fifth working day before the end of the month. Inasmuch as recommendations for appointments or changes in status may require considerable time for processing before they can be reported to Information Management--Human Resources (IMHR), such recommendations must necessarily be originated by the departmental executive officer well in advance of the deadline.

In case of the death of a regular staff member, the payment of final salary includes one full month following the date of death, in addition to salary for accumulated vacation. For faculty appointed on an academic year basis this payment upon death is one ninth of their academic pay regardless of pay basis selected.

17.2 Hours, Overtime, Call Back, and Standby (On Call) Status

(Amended 3/02; 10/04; 4/06; 10/16; 5/17; 7/1/17)

The following policies apply to staff members subject to the Fair Labor Standards Act (FLSA). This includes all merit staff, as well as non-exempt professional and scientific staff. Faculty and exempt professional and scientific staff members are excluded, as are staff nurses and allied health professionals whose terms of employment are established in the *UI Health Care Employee Manual* (available through The Point or a local Human Resource Representative).

a. Hours. The basic work schedule for FLSA-covered staff members is a 40-hour workweek. For the majority of staff members, this involves work from 8:00 a.m. to 12:00 noon and 1:00 to 5:00 p.m. Monday through Friday. However, because of the demands of the University's varied operations, many staff members work other time schedules as set by their departments. FLSA-covered staff are paid for the hours they work. Exceptions for extra hours or undertime must be recorded on the employee payroll record to be paid accordingly. If the total hours worked in a workweek exceed 40, the individual will be eligible for overtime.

b. Overtime.

(1) Merit staff members who are eligible will receive overtime compensation for hours in excess of 40 in any workweek. The basic workweek is defined as 168 consecutive hours running from the first shift beginning on or after 12:00 a.m. Sunday through the first shift beginning before 12:00 midnight the following Saturday. Only hours worked are used for the calculation of overtime. Adjustments for overtime and undertime are made on the basis of Monthly Leave and Pay Adjustment Records or electronic data files submitted by the departments. The Monthly Leave and Pay Adjustment Record must include the staff member and supervisor signature as approval of the submitted hours. If signatures are not provided on the time records submitted to University Payroll, documentation containing the appropriate signatures must be maintained by the employing department.

Compensation for overtime hours, as defined above, can be in the form of cash (at 1 1/2 times the staff member's base rate of pay) or compensatory time off sometime before the close of the current fiscal year in which it was earned. Such compensatory time is earned at the rate of 1 1/2 times the actual overtime hours. Compensatory hours can be accumulated and carried over each month up to a maximum of 160 hours. Any hours over 160 will be paid out to the staff member on the next monthly payroll. Accumulated and unused compensatory time at the end of the fiscal year must be paid in cash and cannot be carried over into a new fiscal year.

The appropriate departmental authority is charged with the final responsibility for deciding the method of compensating the staff member. The staff member's wishes regarding his or her preference for taking time off will be considered in light of departmental scheduling and staffing needs. The final decision on when time is to be taken rests with the appropriate departmental authority.

(2) Professional and scientific staff members who are non-exempt from FLSA and eligible will receive overtime compensation for hours worked in excess of 40 in any workweek. The basic workweek is defined as 168 consecutive hours running from the first shift beginning on or after 12:00 a.m. Sunday through the first shift beginning before 12:00 midnight the following Saturday. Only hours worked are used for the calculation of overtime. Adjustments for overtime and undertime are made on the basis of Monthly Leave and Pay Adjustment Records or electronic data files submitted by the departments. The Monthly Leave and Pay Adjustment Record must include the staff member and supervisor signature as approval of the submitted hours. If signatures are not provided on the time record submitted to University Payroll, documentation containing the appropriate signatures must be maintained by the employing department.

Compensation for overtime hours, as defined above, can be in the form of cash (at 1 1/2 times the staff member's base rate of pay) or compensatory time off sometime before the close of the current fiscal year in which it was earned. Such compensatory time is earned at the rate of 1 1/2 times the actual overtime hours. Compensatory hours can be accumulated and carried over each month up to a maximum of 160 hours. Any hours over 160 will be paid out to the staff member on the next monthly payroll. Accumulated and unused compensatory time at the end of the fiscal year must be paid in cash and cannot be carried over into a new fiscal year.

The appropriate departmental authority is charged with the final responsibility for deciding the method of compensating the staff member. The staff member's wishes regarding his or her preference for cash or taking time off will be considered in light of departmental budgetary, scheduling, and staffing needs. The appropriate departmental authority will schedule or designate the use of accrued compensatory time.

c. Call Back. A full-time merit staff member who is called back to work after regularly scheduled hours receives a minimum of three hours pay for such work. This provision does not apply in cases where the additional work time is immediately preceding or immediately following regularly scheduled work.

Full-time merit system staff members of one University department may not be hired by other University departments except on a temporary basis to render special services in cases of emergency, and only with approval of the Office of the Chief Human Resources Officer. In such cases, the following will be applicable:

(1) The base hourly rate for overtime pay is the merit staff member's 12-month budget salary divided by 2080. Any hours worked in excess of 40 in one week is subject to the premium pay provisions of this policy.

(2) A Special Compensation Form is to be completed and approved by the executive officer of the department for which the extra work is performed.

d. Standby (On Call). Merit staff members eligible for standby (on call) compensation under this policy shall be those Merit System staff members who are scheduled for standby duty by their department head (or designee) and, as a consequence, are required to restrict their whereabouts and activities in order to be available for immediate consultation or return to work.

(1) "Required to restrict their whereabouts" means being within immediate radio pager or telephone contact, and, if requested, returning to the department and ready to work within thirty minutes.

(2) Merit staff members scheduled in a standby status and who fail to respond to initial radio pager/telephone contact, or violate the thirty-minute return-to-work limitation, will be subject to prevailing discipline policy.

(3) If a merit staff member scheduled to be on standby wishes to remove himself/herself from such standby status due to illness or other extenuating circumstances, the staff member shall first notify and obtain the expressed approval of his or her supervisor.

(4) Standby pay commences with the beginning of the scheduled standby period and terminates with the staff member's completion of the scheduled standby period. Merit staff members while in standby status are paid at the hourly rate of ten percent of their base hourly rate of pay. Standby merit staff members who are required to return to the department by their supervisor will be paid their regular rate of pay for time actually worked, or three hours, whichever is greater. Overtime compensation and shift differential shall be paid, where applicable.

(5) Time spent in standby status and travel time to and from work shall not be considered as time worked for purpose of computing overtime.

The following procedures are the responsibility of the department head or designee:

(a) Departmental standby compliance procedures and scheduling system shall be documented and subject to joint review and approval of the appropriate administrative staff member and the Office of the Chief Human Resources Officer to ascertain compliance with this standby policy.

(b) Prospective and new merit staff members will be notified of the potential requirement to accept standby at the time of employment.

(c) Standby status is initiated only with formal approval of the department head or designee.

(d) The merit staff member will be notified of standby status through regular work schedule notification.

(e) The department will maintain a record of each merit staff member's standby status as it occurs and record each incidence of actual return and departure from assigned place of work. Such record shall be validated with signatures of standby employee and supervisor.

(f) Total standby hours and actual standby pay to be received during each pay period will be calculated and recorded on appropriate Monthly Leave and Pay Adjustment Records.

(g) Appropriate Monthly Leave and Pay Adjustment Records or electronic data files will be forwarded to Payroll on the respective payroll cutoff dates. A copy will be retained for departmental files. The Monthly Leave and Pay Adjustment Record must include the staff member and supervisor signature as approval of hours submitted. If signatures are not provided on the time record submitted to University Payroll, documentation containing the appropriate signatures must be maintained by the employing department.

(h) Departments are responsible for reconciling/reviewing all time records by department. This includes reviewing and keeping a record for those employees who report no usage for any reporting period.

17.3 Direct Deposit of Payroll Checks

(Amended 9/98; 5/00; 3/02; 9/02; 1/07; 7/08; 10/15)

All employees hired on or after July 1, 2006, are required to be paid by direct deposit. All student and non-student employees may have their monthly/biweekly pay deposited into an account at any financial institution participating in the National Automated Clearing House Association (NACHA) deposit program. If direct deposit is not requested by employees hired prior to July 1, 2006, the net pay will be issued via a payroll check and sent to the employee's work address. It is the responsibility of each employee to notify the Payroll Office of direct deposit and/or address changes.

Employees may access their earnings statements via University of Iowa Employee Self Service. In order to view the entire earnings statement while not on campus, users must be enrolled in Duo Security Two-Step Verification.

17.4 Cashing Payroll Checks

The University Business Office does not cash staff members' payroll checks or personal checks unless such checks are used in payments of amounts due the University.

17.5 Salary Advances

(President 10/7/60, 6/3/76; 2/92; 9/98; 5/00; 5/14; 10/15)

The Payroll Office is not authorized to give salary or wage advances. However, if an employee is not paid or not paid correctly due to an error or lack of timely payment authorization, the employee can request to have a payment prepared and issued. This payment is the actual gross amount due less appropriate taxes and deductions; these payments usually are issued 48 hours after they have been requested from the Payroll Office.

17.6 Computation of Salary for Academic-Year Faculty

(Regents 4/13/43; amended 8/99; 3/02)

Faculty members appointed on an academic-year basis are paid on a twelve-payment basis. The twelve payments will be paid in twelve equal installments beginning with a payment on

August 1 and ending with a payment on the following July 1 of each fiscal year.

Newly appointed academic-year faculty members will not be paid on August 1 the first year. Instead, they will receive a payment on September 1 for two-twelfths of their salary, with the ten remaining installments paid monthly ending on July 1.

Partial academic year payments are calculated using the total number of academic-year working days as the denominator with the numerator being the actual number of academic days worked. This fraction is applied to the academic rate of pay to determine the earnings.

17.7 Compensation of Teaching and Research Assistants

All student teaching and research assistants and fellowships appointed on an academic year basis will be paid on the ten-payment basis.

17.8 Summer and Winter Session Salaries

(Finance Committee 1/24/63; amended 9/98; 9/01; 10/04; 1/06)

17.8(1) Summer Session Salaries

Regular faculty members appointed on an academic year basis, who also serve on the summer session staff, receive salaries for the entire summer session which are based on their salary schedules for the year immediately preceding. The rate for teaching one course is one-ninth the previous year's salary for a three-semester-hour course.

Payments for the six- and eight-week summer sessions are made in two equal installments on July 1 and August 1. Payments to faculty members for other periods of service during the summer are made in accordance with the provisions of III-17.1.

17.8(2) Winter Session Salaries

Regular faculty members appointed on an academic year basis, who also serve on the winter session staff, receive salaries for the winter session which are based on their salary schedules for the current year. The rate for teaching one course is one-ninth the current year's salary for a three-semester-hour course.

Payments for the winter session are made on February 1.

17.9 Definition of the Academic Year

(President 8/15/72; 2/92)

The academic year commences three working days before the beginning of classes in the fall semester and ends on the spring commencement day of the college calendar. Academic year appointees are expected to be available throughout this period when classes are in session or when other scheduled events require their presence on campus. They are also expected to render appropriate services such as advising students, training teaching assistants, preparing class materials, evaluating student performance and submitting grades, and preparing reports for the academic year.

17.10 Computation of Salary in the Event of Absence

(President 8/15/72)

a. Academic Year Appointments. Unless otherwise indicated in the appointment record, faculty and staff members appointed on an academic year basis, who serve only part of the academic year, receive compensation equivalent to their academic year salary multiplied by a fraction, the numerator of which is the actual days served, and the denominator of which is the number of service days in the academic year. For the purpose of this computation, service days shall not include Saturdays, Sundays, or days on which the University is officially closed. In computing compensation for a portion of an academic year, the minimum number of service days shall begin three working days before the beginning of classes in the fall semester and end on the spring commencement day of the college calendar.

   As indicated in III-17.9, this does not imply that professional services may not be expected of faculty and staff members for classes or other scheduled events at any time during the academic year.

b. Academic Semester Appointments. In the computation of compensation for appointments for one semester, the minimum number of service days per semester shall begin three working days before the beginning of classes in the fall semester and end on the spring commencement day of the college calendar. Compensation for less than one semester shall be computed on the basis of the percentage of service days rendered to the total number of service days in that academic semester.

c. Appointees on a Monthly or Twelve-Month Basis. When staff members appointed on a twelve-month basis or on a month-to-month basis are absent without pay for a part of the month in which they are employed, the compensation for the actual days worked in the month shall be computed by multiplying their monthly salary rate by a fraction, the numerator of which is the actual days worked by the staff member in that month, and the denominator of which is the total working days in that month. In computing compensation, working days will include holidays celebrated on weekdays, Monday through Friday, and will exclude Saturdays and Sundays.

17.11 Compensation for Jury Service

When in obedience to the subpoena or direction by proper authority, a staff member appears as a witness or serves as a member of a jury in any public or private litigation, that staff member is entitled to his or her regular compensation provided that any pay received for such service, other than reimbursement for travel or personal expenses, is surrendered to the University (see https://hr.uiowa.edu/payroll/topics#JuryDuty). For failure to observe this requirement, the Business Office may deduct from the payroll check of such a person the amount collected for jury service.

(See also IAC [681]3.146(8A).)

17.12 Compensation for Military Leave of Absence

(Amended 7/07)

All staff members of the University, other than staff employed temporarily for six months or less, who are members of the National Guard, organized reserves, or any component part of the military, naval, air forces, or nurse corps of this state or nation or who are inducted into the military service of this state or of the United States, shall when ordered by proper authority to active state or federal service, be entitled to a leave of absence from the University for the period of such active state or federal service, without loss of status or efficiency rating, and without loss of pay during the first thirty calendar days in a calendar year. This provision shall also apply to a leave of absence by a member of the national disaster medical system of the United States when activated for federal service with the system.

Compensation for such leave will be paid only after Human Resources is presented a statement signed by the staff member's commanding officer indicating that the staff member has been ordered to active duty and that the staff member has in fact reported for active duty.

(IC 29A.28, Atty. Gen. #74-2-10; see also IAC [681]3.144(8A).)

17.13 Extra Compensation for Participants in University-Sponsored Short Courses and Conferences

(Board of Deans 7/11/56; 2/93; 11/04)

The basic policy with regard to extra compensation for faculty members who participate in University sponsored conferences or short courses (on-campus or off-campus) authorizes each college or other educational unit to establish its own regulations for such extra compensation within the following general framework of rules:

a. That each college or other educational unit may establish a central conference account or individual conference accounts;

b. That a contingency fund may be built up from conferences to cover the possible deficits which may occur for particular courses or conferences;

c. That each college or other educational unit have the authority to use the proceeds from its courses or conferences to defray the cost of such special functions (such as the entertainment of college guests) as it may wish to undertake;

d. That faculty members receive extra compensation only if they give short courses or lectures (over and beyond the arranged teaching, research, and service load) which require a good deal of extra work. Requests for payment of extra compensation for conference participation shall be submitted on the standard form, Compensation of Faculty for Conference Participation. The forms are available at the Center for Conferences and shall be submitted to the Dean of Continuing Education through the Center for Conferences. The compensation for this "overload" will ordinarily not exceed the amount appropriate for one full working day a week, in terms of the faculty member's budgeted salary. A dean may, however, petition the Executive Vice President and Provost to approve an exception to this standard. A request for such an exception should be in writing and should set forth a justification for making the exception.

e. That proposed budgets for University-sponsored conferences (on-campus or off-campus) shall be submitted by the dean of the college or other appropriate administrative officers of the conference-sponsoring unit, for approval by the Dean of Continuing Education. Conference budget forms shall be used for this purpose. The forms are available at the Center for Conferences. A copy of the approved budget shall be returned to the sponsoring unit for file.

   In the event a conference or short course is sponsored by one college or other educational unit, and faculty members from another college or educational unit are asked to participate, it is understood that the director of the conference will communicate with the dean and other administrative officers concerned before making formal arrangements for extra compensation with the faculty member whose participation is desired.

17.14 Penalties for Delinquent Reporting of Final Grades

(Board of Deans and President 1/49; 3/72; 12/05)

a. The deadline for submitting final grades is 72 hours (excluding weekends and University holidays) after the end of final examination week (fall and spring semesters) or after the last day of the session (summer and winter sessions). For courses that end "off-cycle," final grade submission is subject to deadlines established by the University Registrar in compliance with University policy.

b. At the end of each academic period, the University Registrar shall prepare a list of faculty members who failed to submit one or more final grades by the established deadline.

c. A copy of the list of faculty members delinquent in reporting of grades shall be forwarded by the Registrar to the appropriate collegiate dean and to the Payroll Unit of Human Resources.

d. A faculty member whose final grades are delinquent shall be notified of their delinquency by the dean, and the issue of the next paycheck shall be delayed ten days. If the delinquent final grades have not been reported after ten days, no paycheck will be issued until the delinquent grades are reported.

e. The Registrar shall retain a session-by-session record of faculty members whose grades are delinquent. In case of repetition in successive sessions, the initial penalty for the faculty member will be increased to fifteen days, and the Provost will be notified.

f. In the case of a faculty member whose University employment is terminated, the entire last paycheck may be withheld until the faculty member has submitted all final grades.

17.15 Staff Remuneration for Materials: Gratuities

a. University staff are not remunerated in any form, either directly or indirectly, including any commission, percentage, discount, or rebate for any materials sold to the University unless it has been determined by the Senior Vice President for Finance and Operations that the staff member is the sole possible supplier of item needed. This policy applies to supply of materials by members of staff member's immediate household, other than members in established businesses. Requesting departments are to prepare specifications for materials and delivery as broadly as possible in order to allow nonexclusive purchases.

b. University staff may not accept any gift, bonus, tip, commission, or gratuity connected with, relating to, or growing out of any business transaction with the University.

c. For policy on services, see III-17.16.

17.16 Extra Compensation for University Faculty and Staff

(President 6/19/73; 1/21/75; 2/93; 7/1/99; 9/13)

a. The following procedural guideline covers all compensation to faculty and staff who are not subject to the overtime pay provisions of the Fair Labor Standards Act (see III-1.2b) in excess of base salary as set forth in the President's salary letter from sources within the University or from other state funds:

   (1) When another state agency proposes to pay excess compensation to a faculty or staff member of the University, initial application shall be made to the head of the faculty or staff member's major functional unit for approval.

   (2) When a faculty or staff member within one or more major functional units is seeking extra compensation from a source within another major functional unit, initial application shall be made to the heads of all such units and approval obtained.

   (3) When a faculty or staff member within a major functional unit is seeking extra compensation from a source within the unit, initial application shall be made to the head of such unit and approval obtained.

   (4) All requests for extra compensation are to be made in writing in advance of the work to be accomplished. Requests not specifically covered by other policies listed

in III-17.16d are to be accompanied by a concise statement of justification as described in III-17.16e and forwarded for approval or disapproval to the appropriate unit head(s) identified above in subparagraphs (1), (2), or (3). Payments for extra compensation may be made upon completion of the work and upon approval by such unit head(s), unless subject to III-17.16a(5).

(5) The Executive Vice President and Provost and the Chief Human Resources Officer shall establish parameters for extra compensation amounts. Requests that exceed the established parameters must be approved in advance by the appropriate department, dean, or vice president, and Executive Vice President and Provost or Chief Human Resources Officer or their designees.

(a) P&S and House Staff: $3,000 single payment, $5,000 cumulative fiscal year;

(b) Faculty and Fellows: $3,000 single payment, $8,000 cumulative fiscal year.

b. The guidelines of III-17.16a apply to all situations regardless of whether the work for which extra compensation is being claimed is accomplished during regular working hours, off-duty hours, leave without pay, or vacation periods.

c. The major functional units are set forth in the University organizational chart (see Appendix A-1). For purposes of this regulation the deans of each college and for the Division of Continuing Education rather than the Executive Vice President and Provost shall be considered the head of their respective units.

The Office of the President issues approvals for the Executive Vice President and Provost and vice presidents.

d. Due consideration shall be given to the effect of the following sections in arriving at the decision on extra compensation:

(1) III-17.8 Summer- and Winter-Session Salaries,

(2) III-17.13 Extra Compensation for Participants in University-Sponsored Short Courses and Conferences,

(3) III-17.17 Supplemental Activities and Extra Compensation,

(4) III-17.17(4) Employment on Grants and Contracts Administered by the University -- Nine- or twelve-month project,

(5) III-17.17(5) Extension Activities, and

(6) V-11.15 Purchases from University Faculty or Staff -- services of staff as outside contractors (see also III-17.15 Staff Remuneration for Materials: Gratuities).

e. The statement of justification referred to in paragraph III-17.16a(4) should enable the appropriate unit head to determine why extra compensation is proper for exceptional service beyond the faculty or staff member's primary duty and regular compensation. It shall also include:

(1) Faculty and staff must provide assurance that the work to be performed will not interfere with performance of regular responsibilities. In the case of staff, the work to be performed will take place outside the employee's regular work hours. In the case of faculty, there is no reduced expectation regarding their contributions to the teaching, scholarship, and service mission of the University. Absent such assurance, the time spent should be charged to leave without pay or to vacation in the case of faculty and staff who earn vacation. The request for approval of extra compensation must indicate which arrangement is being made.

(2) The unit head authorizing the request must certify that a procedure exists to insure that the faculty or staff member deciding upon the need for the activity for which extra compensation is to be paid will not receive any such compensation.

17.17 Supplemental Activities and Extra Compensation

(Amended 9/93; 9/95; 1/09; 3/10; 2/11; 11/12; 1/13)

17.17(1) Use of University Supplies

Other than using library materials, and, in the case of faculty, assigned office space, faculty and staff members shall not use University supplies, materials, equipment, or services for extramural activities, other than activities such as those listed in II-18.4b of the Conflict of Interest Policy, without first obtaining approval and arranging for the payment of the total cost for such use. Such prior approval is not necessary, however, when the supplies, materials, equipment, and services are generally available to University faculty or staff members upon the payment of an established fee and the fee is paid.

No faculty or staff member shall use University stationery or letterhead in connection with professional extramural activities other than activities such as those listed in II-18.4b. (See also II-33 Use of University Name.)

17.17(2) Usurpation of University Opportunities

Situations may arise in which a faculty or staff member has the option to engage in professional extramural activities either (1) as an independent consultant or through a business organization in which the faculty or staff member has an ownership interest, or, alternatively (2) through the University. In such situations, the faculty or staff member has an obligation to give the University an opportunity to decide whether it wishes to have the activity carried on under University auspices, and only if the University rejects the opportunity, is the faculty or staff member free to undertake the activity by other means. For faculty members and other staff members within a college, a written waiver of University interest shall be obtained from the dean of the college. For other staff members, a written waiver of such interest shall be obtained from the director of the unit in which the staff member serves.

17.17(3) Royalties from Course Materials

Faculty members should not profit financially from recommending or requiring the purchase of course materials by their students. Faculty members who would otherwise receive royalties or other remuneration from the purchase of books or materials which they recommend or require in courses they teach should either refund the money to the students or make other arrangements to avoid profiting from their students' use of the materials (such as transferring it to the University or one of its units, or to The University of Iowa Foundation).

17.17(4) Employment on Grants and Contracts Administered by the University

a. Nine- or Twelve-Month Project. The federal government and the University do not allow grant funds to be used to reimburse faculty members of the grantee institution for consulting or other time in addition to a regular full-time institutional salary covering the same general period of employment. Special exceptions may be made when the work to be performed is in addition to the individual's normal full-time duties and the additional compensation payment is commensurate with institutional policy.

The University practice in this regard is as follows:

(1) A faculty member may be relieved of some usual duties by the dean of the college so that the member may undertake sponsored research or engage in a sponsored training program. In such cases, the individual's regular salary may be divided proportionately between the general fund and the special account established by the University for the research or training project.

(2) In general, grant or contract funds are not to be used to augment the individual's salary if employment with the University is on a full-time basis. It is understood, however, that occasionally a situation may arise in which extra compensation for a limited time may be justified. Payment from grant or contract funds in addition to regular salary will be authorized only under the following conditions:

(a) When the faculty member is assigned to work overseas and when the payment of an "overseas differential" is specifically authorized by the grant or contract.

(b) When the faculty member serves on a strictly limited basis as consultant on a research or training project for which principal responsibility lies with a faculty member in another college or, in the case of the College of Liberal Arts and Sciences (CLAS), within another CLAS department, the work involves a separate or remote operation, and the work is in addition to the consultant's regular departmental load. In such instances the project director who arranges the consulting fee must obtain written approval through the proposed consultant's departmental executive and dean, and the Executive Vice President and Provost. Such a request for approval should include the following evidence:

(i) That the services to be provided are essential and cannot be provided by persons receiving salary support under the grant, or otherwise compensated for their services;

(ii) That the charge is appropriate considering the qualifications and normal charges of the consultant, and the nature of the services to be provided.

(c) When an overload is indicated for a training institute or workshop, and it is impossible to release the faculty member from any portion of usual duties. The "overload" will not be permitted for a longer period than one semester and the amount of "overload" permitted will not be greater than an average of one day per week. The compensation for this "overload" will in no case exceed the amount appropriate for one full working day a week, in terms of the faculty member's budgeted salary.

(3) A faculty member assigned full time to a grant or contract is in every case a full-time faculty member and is thus subject to the same restrictions on accepting supplemental employment as a faculty member employed full time on the General Fund budget of the University.

b. Summer Employment.

(1) A faculty member holding an appointment for the academic year may be employed by the University outside the academic year on a part-time or a full-time basis in summer session teaching, in sponsored research or training programs, or in other activities.

(2) Compensation for summer employment in any of these activities is based on the academic year rate of pay established for the faculty member for the academic year within the past fiscal year during which the service is rendered. University funds are not obligated to subsidize summer salaries if the grant award is less than the University's established rate for the previous nine months.

(3) A faculty member holding a full-time appointment for any portion of the summer is, during the period of appointment, a full-time staff member in the same sense as during the academic year and must abide by the same restrictions on accepting additional employment.

c. Relatives on Grants and Contracts. See III-8 Conflict of Interest in Employment (Nepotism).

d. Retired Faculty. Retired faculty (see III-11) may, with the permission of their departmental executive officer, dean, and the Vice President for Research, participate in or apply for externally supported sponsored research projects. The sponsor pays the full costs of such projects, and permission to continue will be subject to annual review by the persons identified above who are involved in the administrative channels of the application process.

e. Other Personnel. Staff members on grants and contracts must be paid within the same pay scale as that of other comparable University staff members. Should salary levels requested in proposals be less than needed at time of award, or at the time of a new University budget year, the project director should either find the needed additional funds from within existing budget, request supplementary funding from the sponsor, or reduce the employment period or percentage of time devoted to the project.

f. Those Eligible to Apply for Research Grants. University policies permit faculty, qualified Professional and Scientific staff, and postdoctoral fellows to apply for external funds to support research to be performed at The University of Iowa. The following clarifications of that policy relate to research conducted by persons who are not members of the faculty:

(1) As in the case of all research conducted by faculty, research done by persons who are not members of the faculty must be conducted within an established unit of the University. The unit executive must be willing to certify that the proposed research fits within the goals of the unit or the sub-unit conducting such research.

(2) When applicable, the unit executive must make it clear to the proposer that there is no guarantee of University salary support beyond the termination of the proposed grant or contract.

(3) The same departmental, collegiate, and central review with regard to such matters as space, effort commitment, use of human subjects, University cost-sharing as that given to faculty proposals, will take place prior to any proposal leaving the University.

(4) Those not employed by the University or those with adjunct or visiting faculty status are not eligible to be listed as proposed project directors on University grants or contracts, except under unusual circumstances and with the approval of the Vice President for Research and Economic Development.

(5) Graduate students may be eligible to serve as Principal Investigator on dissertation grants, research fellowships, and similar types of sponsored projects, provided (a) the project sponsor considers the student to be PI, and (b) the project includes a formally designated mentor meeting the eligibility guidelines described in III-17.17(4)f above.

17.17(5) Extension Activities

To a limited extent, a full-time faculty member may be permitted to teach extension courses or to engage in other work for the Division of Continuing Education in addition to regular duties and to receive additional compensation for such services. All such arrangements must be recommended by the departmental executive officer and approved by the collegiate dean and the Dean of the Division of Continuing Education. The faculty member will be permitted to accept such assignments only if they do not interfere with the performance of regular responsibilities. (See also III-17.13.)

17.17(6) Extra Compensation for Teaching Academic Courses

(1/13)

a. General. University of Iowa faculty members, including staff members teaching as adjunct faculty, may from time to time teach courses that are in addition to their regular "load" or in addition to their full-time positions. The University and its students benefit by this instruction and the individual employees are compensated for this extra effort in addition to their regular salary. The term "overload teaching" applies to faculty members teaching academic courses in addition to the course load requirements of a faculty member's "usual faculty activity," as determined by their effort allocation, for which a base salary is paid. UI staff members teaching as "adjunct faculty" teach over and above their assigned job duties for which their base salary is paid. As stated above in III-17.16e(1) Extra Compensation for UI Faculty and Staff, it is the responsibility of the faculty or staff member to "provide assurance that the work to be performed will not interfere with performance of regular responsibilities."

b. Guidelines. All teaching for extra compensation must be approved on a case-by-case basis by the faculty member's departmental executive officer or equivalent, or by a staff member's supervisor and department head, and shall be conducted according to the following guidelines:

(1) Term considerations:

(a) Definition of the academic year: The University has defined the academic year as beginning three days prior to fall classes and ending with spring commencement (see III-17.9).

(b) Academic-year faculty appointments: Faculty members who hold academic-year appointments are considered full-time employees during the academic year and are assigned a base salary for the work performed during this period of employment. All teaching during the academic year that is over and above a faculty member's "usual teaching activity" will be considered overload and require approval. Courses taught over and above an academic-year faculty member's "usual teaching activity" during semester breaks (e.g., Thanksgiving, winter, spring) will be considered as being taught on overload and governed by this policy. Summer-session teaching by faculty members on academic-year appointments is exempted from the overload teaching guidelines, since the summer session is not considered part of the academic year.

(c) Fiscal year faculty appointments: All teaching over and above the usual teaching activity of faculty members who hold fiscal-year appointments will be considered as teaching on "overload" and will require approval at all times of year.

(d) UI staff members may serve as instructors of academic courses, including distance education and Guided Independent Study (GIS) courses, over and above their regularly assigned duties. In addition to the requirements of this policy, UI staff members with faculty appointments shall follow policies related to use of staff time (see, for example, III-17.16 Extra Compensation for University Faculty and Staff and II-18 Conflicts of Commitment and Interest), in particular that the work performed will take place outside the employee's regular work hours or charged to vacation time, unless otherwise approved by their supervisor.

(2) Course number and enrollment limitations. Academic courses taught for extra compensation are limited according to the following:

(a) Academic term, Saturday and Evening Classes, and distance-education courses: Faculty and staff members who hold regular full-time appointments (nine or twelve months) may be permitted to teach one course for extra compensation during the fall, spring, or winter sessions, not to exceed two total courses taught for extra compensation during the academic year. Additionally, faculty and staff members who hold fiscal-year appointments may be approved to teach one course during the summer session.

(b) Guided Independent Study (GIS) courses: Student enrollment in GIS courses will ordinarily be limited to 36 students per course. In select cases, exceptions may be requested at the college level (e.g., enrollment in foreign language courses).

(c) Exceptions: Exceptions to these limits may be requested in writing to a DEO or equivalent, or, in the case of staff, a supervisor and department head. Once recommended, the exception must be approved by the collegiate dean of the college in which the course is being taught and, if for a course taught through the Division of Continuing Education, the Dean of Continuing Education.

(3) Compensation. Given the multiple modalities of instruction and collegiate environments, compensation for courses taught for extra compensation will be set by the employing unit in accordance with relevant compensation policies (see III-17.8, III-17.13).

17.18 Withholding from Payroll Checks

(Regents 3/9/72; amended 9/93; 7/08; 3/12)

General Guidelines. Payroll withholding programs are permitted according to the following guidelines:

a. Withholdings authorized by federal or state laws.

b. Withholdings in connection with staff member retirement and insurance plans approved by the Board of Regents, State of Iowa.

c. Withholdings authorized by individual staff member for institution-wide contributive programs of direct benefit to the institution.

d. Withholdings authorized by individual staff members for United States Savings Bonds.

e. Withholdings for amounts due the institution from and authorized by its staff members or for amounts clearly established to be due from its staff members.

f. Withholdings for amounts authorized by individual staff members for dues for the convenience of organizations which relate to employment conditions such as union organizations or University-wide professional organizations. Payroll withholding programs in this category shall not be initiated without one hundred participants unless justification exists for less than one hundred participants; payroll programs in this category may be discontinued if the number of participants falls below twenty-five. Each payroll withholding program in this category is to be submitted to the Board of Regents, State of Iowa, for approval. Any payroll withholding program may be discontinued by the Board of Regents, State of Iowa, if a request for a new withholding program has higher priority and cannot be accommodated within existing withholding procedures.

g. Withholdings for amounts authorized by individual staff members for contribution to qualifying charitable organizations. In order to qualify for payroll withholding privileges, an organization must: 1) be eligible to receive contributions which may be deducted on the contributor's Iowa individual income tax return and, 2) have one hundred (100) or more participants within the University.

Any staff member wishing to terminate this deduction shall be required to give 30 days' notice in writing to the University Payroll Office.

Each Regents institution will require the staff member of eligible organization to submit written authorization for payroll withholding for each withholding program.

The Business Officers are required to maintain such records as necessary for audit purposes.

17.18(1) Federal Income Tax Withholding

(Amended 7/08)

a. General Policy. As required by the Internal Revenue Code, the Payroll Office deducts and withholds federal income tax from salaries and wages of University staff. Deductions are made in accordance with rules established by the Internal Revenue Service.

   Amounts in excess of those stipulated by the Internal Revenue Service may be withheld at the request of a University staff member. Amounts deducted and withheld are remitted to the Director of Internal Revenue.

b. Federal Withholding Receipts. The Payroll Office is required to issue each year to all staff members a withholding receipt (Federal Form W-2) showing the total amount of salary or wages paid and the amount of federal income tax withheld. A copy of this receipt is sent to the Director of Internal Revenue. This receipt includes all payroll checks distributed during the calendar year under report. Therefore, the regular payroll checks available on January 2 are reported as applying to the calendar year beginning with January rather than to the period for which the salary or wage is being paid. W-2 forms normally are available to staff members in January of each year.

17.18(2) State Income Tax Withholding

As required by the *Code of the State of Iowa*, the Payroll Office deducts and withholds state income tax from salaries and wages of University staff members. Deductions are made on a monthly payroll basis in accordance with rules established by the State Revenue Department.

17.18(3) U.S. Savings Bonds Withholding

(Regents 3/9/72; amended 9/93; 7/08; 3/12)

Employees will use UI Employee Self Service to initiate payroll deductions for TreasuryDirect. Deductions will begin upon receipt of the employee's TreasuryDirect account number and monthly deduction amount. This amount will be transmitted to the employee's TreasuryDirect account (www.treasurydirect.gov) on a monthly basis. Deductions may be canceled at any time by using Employee Self Service.

17.18(4) United Fund Withholding

See V-9 Fund Solicitation Policy.

17.18(5) (Reserved for future use)

17.18(6) Tax Shelter Provision

(Regents 10/12/63)

Staff members defer federal and state income taxes on contributions to TIAA or an approved substitute annuity or supplemental annuity. An individual eligible for TIAA takes a salary reduction in an amount equal to the staff member's contribution to the retirement fund. That amount, plus the University's contribution is paid by the University in the staff member's name into the retirement fund; an income tax on the total annual contribution is postponed until the time benefits from the plan are received. Internal Revenue Service regulations have maximum contribution limits under this program. Contact the University Benefits Office for further information.

III. Human Resources

Chapter 18 – Insurance

(Amended 9/93; 10/94; 10/95; 9/97; 7/99; 10/01; 7/02; 10/04; 2/07; 1/11; 10/15; 7/1/17)

18.1 Eligibility

(Amended 7/02; 10/04; 2/07; 10/15; 7/17)

a. Life Insurance. Mandatory for full-time regular staff members and part-time regular staff members working at least 50 percent time. Excludes students, interns, externs, fellows, and temporary or visiting staff members. (Amended President 7/1/74; 1/1/86)

b. Disability Insurance. Mandatory for full-time regular staff members and part-time regular staff members working at least 50 percent time. Excludes students, interns, externs, fellows, and temporary or visiting staff members. (Amended President 7/1/73; 1/1/86)

c. Health and Dental Insurance (Voluntary). Available to full- and part-time regular staff members working at least 50 percent time, with the exception of students, interns, and externs.

d. Retirement Programs. All University staff members with the exception of students, fellows, house staff, adjunct faculty,* or appointments of less than six months must participate in one of the following retirement programs:

(1) Iowa Public Employees Retirement System. Available to either full- or part-time, regular or temporary staff members, with the exception of students, fellows, house staff, adjunct faculty,* and staff members hired on a temporary basis for less than six months.

(2) University Funded Retirement Program (TIAA or an approved substitute annuity). Available to either full- or part-time, regular or temporary staff members, with the exception of students, fellows, house, staff, adjunct faculty* and staff members hired on a temporary basis for less than six months.

e. Retirement Compensation Limit. The Internal Revenue Service sets the amount of compensation retirement contributions can be based on. The current limit is $360,000. If an individual's salary exceeds $360,000, only the first $360,000 will be used for retirement calculations. Neither individual nor University contributions will be permitted on compensation in excess of $360,000. This compensation limit has been set by the Revenue Reconciliation Act of 1993 and the University reserves the right to adjust the maximum compensation figure based upon any future legislation or changes to the maximum as prescribed by law. For any individual hired after January 1, 1996, the maximum salary cannot exceed $270,000.

f. Social Security. Mandatory for all full- and part-time regular and temporary staff members, excluding students and certain non-resident aliens.

* Exceptions may occur when other employment is held in conjunction with these types of appointments.

18.2 Life Insurance

(Amended 7/02; 1/11; 7/1/17)

Coverage begins as of the first day of the month following the employee's appointment. Faculty and staff members have a choice of coverage in the amount of $50,000 or 2, 2.5, or 3 times their salary.

The employee may name anyone as beneficiary or beneficiaries, and may change the beneficiary at any time by the completion of the proper form which is available on the Employee Self Service website.

18.3 Long Term Disability Insurance

(Amended 10/15)

a. Effective date. The effective date of the Long Term Disability Insurance coverage is the first day of the month following the employee's appointment. A staff member who is not actively working at that time becomes eligible on the date of return to work.

b. Benefits.

(1) Qualifications. Enrolled staff members may qualify for benefits if:

(a) they become totally disabled by reason of disease or bodily injury and such disability during the first 24 months prevents them from performing the majority of the material duties of their normal job and during any continuation of such disability beyond 24 months from engaging in any work or occupation for which they are reasonably fitted by education, training or experience; and,

(b) such disability existed for at least 90 working days; and,

(c) they become disabled while their disability insurance is in effect.

(2) Additional requirements and specifications.

(a) Proof of disability must be submitted periodically. The University or insurance company, or both, may require a medical examination by a doctor of its choice.

(b) A staff member who qualifies will receive a monthly income commencing on the 91st working day or commencing on the day following exhaustion of all accrued sick leave, whichever is greater. The 90-day waiting period will not start anew for employees who, in an effort to return to work, return for six months or less but cannot continue.

18.4 Medical and Dental Programs

(Amended 10/04)

The University offers to faculty and staff members a selection of medical and dental programs. Membership is open to eligible faculty and Professional and Scientific staff members on the first day of the month following their first day of employment. Merit staff are eligible for medical and dental insurances on the first of the month following 30 days of employment.

Medical and dental benefits are explained in detail in booklets furnished by the University Benefits Office, 120 University Services Building, or at https://hr.uiowa.edu/benefits.

18.5 Retirement Programs

See III-11.4; see also https://hr.uiowa.edu/benefits/retirement.

18.6 (Reserved for future use)

18.7 Unemployment Compensation

All University staff members, with the exception of certain students, are eligible for unemployment compensation. The cost of the program is paid entirely by the University. The local Iowa Workforce Development Office takes applications for compensation and will explain an employee's rights and obligations. Departments having questions concerning the program may contact the University's Employee and Labor Relations Office, 121-20 University Services Building.

III. Human Resources

Chapter 19 – Flexible Spending Accounts

(10/94; Amended 7/99; 7/02; 10/04; 2/07; 6/11)

19.1 General

Eligible faculty and staff may participate in either one or both of the University's Flexible Spending Account Programs for dependent care or health/dental care. From each paycheck received, the University deducts the amount the employee designates on his or her Flexible Benefits Enrollment Agreement. Funds deposited into an employee's spending account are tax exempt up to the current maximum level set by the Internal Revenue Service.

19.2 Covered Expenses

a. Dependent care. Expenses which will be paid for dependent care must be connected with the custodial care of children who are under the age of 13 years and are claimed as an exemption on the employee's federal income tax return, or other eligible dependents such as a disabled spouse or dependent parent, provided that the care is required so that an eligible employee or spouse can work or attend school on a full-time basis. Expenses must be for the following types of dependent care provided during working hours:

    (1) Nursery schools

    (2) Licensed day care centers

    (3) Private babysitters

    (4) Institutions that provide custodial care for dependent adults

    This account cannot be used to pay the employee's spouse, the employee's child who is under the age of 19, or any person whom the employee claims as a dependent on an income tax return.

b. Health/dental care. Expenses which will be paid for health/dental care or any expenses connected with the health/dental care of the employee and/or any eligible dependent as defined by the Internal Revenue Service (IRS) must be for services or items that the employee will not be reimbursed for from any health/dental insurance program, whether with The University of Iowa, and/or any other employer or individual policy. Expenses that qualify are items such as:

    (1) Deductibles and copayments

    (2) Dental expenses

    (3) Vision expenses

    (4) Hearing expenses

    (5) Physical examinations

    (6) Psychiatric fees

    (7) Chiropractic expenses

    (8) Smoking cessation programs prescribed by a physician

    (9) Alcoholism or drug treatment

    (10) Prescription drugs

(See also https://hr.uiowa.edu/fsa.)

19.3 Changes to Flexible Spending Accounts

(Amended 6/11)

Changes to one's spending accounts may be made during the year if there is a significant change in family status. A change in family status includes marriage, divorce, death of a spouse, death of a dependent, and birth or adoption of a child. In addition, an approved leave of absence or the termination or gaining of employment of one's spouse are events which qualify for changes. Requested changes due to one of the above listed events must be communicated to the University Benefits Office within 30 days following the date of the event.

19.4 Reimbursement Requests and Methods

(Amended 7/02; 6/11)

Reimbursement request forms are available to employees who elect flexible spending accounts. Reimbursement claims may be made any time during the year, but no later than the last working day of April of the following year.

Reimbursement is made by direct deposit into one's checking or savings account.

19.5 Reimbursement Receipts

(Amended 6/11)

a. Dependent/child care. Employees must attach to the reimbursement request form receipts to justify expenses. For dependent care expenses, receipt can be a formal receipt or a handwritten document stating that the provider is in receipt of the employee's payment. Canceled checks cannot be accepted as a receipt. All receipts will be retained by the University Benefits Office and will not be returned.

b. Health care. All medical/dental expenses must be processed through one's insurance carrier, normally Blue Cross and Blue Shield of Iowa, before consideration can be given to one's claim under the flexible spending account reimbursement procedure. The only exception to this will be items that are known to not be covered by a particular health insurance program.

19.6 Reimbursement Accounts

The University Benefits Office maintains records of participants' payroll reductions and requests for reimbursement. If one's reimbursement request exceeds the amount of money in one's account, the University Benefits Office maintains that request and continues to pay off of that request in the future. Claims do not have to be resubmitted.

19.7 IRS Reporting

The University Benefits Office retains all receipts. The University of Iowa reports to the Internal Revenue Service the amount of money the employee sets aside for dependent care. Program users must list on their year-end tax return the name, address, social security or tax identification number, and amounts paid to child care providers.

(See also https://hr.uiowa.edu/fsa/irs-reporting.)

19.8 Restrictions

(Amended 10/04; 6/11)

Expenses reimbursed in a spending account must be incurred in the year of the spending account. Expenses incurred during one calendar year but paid the following calendar year will not be eligible for reimbursement. Employees have until the last working day of April of the following calendar year to be reimbursed for such expenses, but the expenses must have occurred during the prior calendar year. Any money remaining in a particular calendar year account on December 31 for which the employee cannot produce expenses will be forfeited to the University.

If an employee terminates employment during the calendar year and he or she is participating in this program, all dependent care funds remaining must be spent by December 31 and claimed by the last working day of April of the following year. If the employee who terminated was participating in the health care spending program, all funds remaining for claims incurred during employment must be claimed by the last working day of April of the following year. Any funds not spent by that date will be forfeited to the University.

III. Human Resources

Chapter 20 – UIHC Discount Policy for Services Furnished to Hospital Trainees

(Regents 1/9-10/64; amended President 4/1/72, 12/20/76, and 10/1/84; 9/97; 3/13)

20.1 Inpatient and Outpatient Service Furnished to Hospital Trainees

For UIHC trainees hired prior to January 1, 2013, a 100-percent discount will be applied on the balance of total hospital charges for medically necessary services, after application of insurance benefits, for medical, dental, and administrative residents and fellows, including their immediate family, in educational programs sponsored by UIHC who are not eligible for University group health insurance programs. This applies only to those UIHC trainees hired prior to January 1, 2013; those hired on or after January 1, 2013, participate in UIChoice.

III. Human Resources

Chapter 21 – Leaves of Absence

(Amended 9/93; 1/06; 12/07; 10/14; 7/1/17)

21.1 General

(Amended 10/14)

a. The term "leave of absence" applies, in most cases, to leaves of absence without compensation. Rules covering such leaves are given in III-21.2.

The University is without the authority to pay any person except for services rendered. Authorized absence is for the convenience of the employee leaving or because of inability to perform job duties. Ordinarily, an employee is expected to apply sick or vacation benefits to such leave. Leaves are intended to be used for a specific time period of some duration.

Requests for leaves of absence, with or without compensation, should, when feasible, be authorized by the supervisor or designated department administrator and Human Resources (HR) Unit Representative in advance of the intended leave. Documentation supporting a leave may be required of the employee. Ordinarily, benefits for regular, benefit-eligible positions are discontinued for any month in which the employee is absent without compensation for the full calendar month. However, when an employee is absent on approved FMLA leave, the University continues to contribute its portion of the major medical insurance. Employees may make benefit payment arrangements in advance with the University Benefits Office.

b. Exception. This policy III-21 does not supersede, affect, or apply to III-22.7 Family Medical Leave Act Leave.

21.2 Leaves of Absence without Compensation

(Amended 12/07; 10/14)

Leaves of absence without compensation that are not subject to FMLA may be granted to faculty and staff members in the best interests of the University. An unpaid leave of absence is granted for a specific purpose of some duration and for a specific time period. Leaves are granted only when it is possible to operate effectively in the absence of the faculty or staff member requesting the leave. Leave periods are granted in continuous increments of time. An employee's return to pay status requires a return to work duties. Departments initiate and authorize leaves as a change-of-status transaction in Workflow.

Note: Special attention should be paid to the continuation of any insurance programs an employee may wish to continue in force during a leave of absence without pay. Assistance with the continuation of insurance programs may be obtained from the University Benefits Office and must be initiated prior to the beginning of a leave of absence.

a. Merit system staff. A request for leave should be submitted, prior to the absence, to the supervisor or department-designated administrator and HR Unit Representative. Conditions for leave approval are found in Regents Merit System Rule 3.149(8A), Leave of Absence Without Pay. The Regents merit rules require that an unpaid leave of absence greater than 30 days will cause an adjustment to the date of the next "merit increase" for the employee, except in the case of an unpaid leave for military service. Required Merit Resident Director authorization is obtained in Workflow.

b. Professional and scientific staff. A request for leave should be submitted prior to the absence to the supervisor or department-designated administrator and HR Unit Representative.

c. Faculty. A faculty member must request a leave of absence in writing of the departmental executive officer. The departmental officer makes a written request to the dean for approval. If the leave is for other than personal reasons, the dean makes a written request to the Office of the Executive Vice President and Provost. Once the leave is approved, a Leave of Absence Form is initiated by the department and routed with the supporting request and approval documentation in Workflow.

21.3 Leaves of Absence with Compensation

(Amended 12/07)

The University has statutory authority to grant leaves with full or partial compensation to faculty and staff members to undertake approved programs of study, research, or other professional activity which will contribute to the improvement of the institution. Such leaves are granted with the requirement that the recipient return to the University thereafter or compensate the University for the benefit received (IC 262.9(14)). A Request for Leave of Absence is completed and approved prior to the granting of a leave of absence with compensation.

Faculty Developmental Assignments (Career Development Awards, Faculty Scholar Awards, and Global Scholar Awards) are granted through an Office of the Executive Vice President and Provost application process. Following final approval, the department should process a Leave of Absence Form. Compensated leaves other than these programs must be requested in writing by the faculty member of the departmental executive officer. The departmental officer makes a written request to the dean for approval. The dean makes a written request to the Office of the Executive Vice President and Provost. Once the leave is approved, a Leave of Absence Form is initiated by the department and routed with the supporting request and approval documentation in Workflow.

21.4 Off-Campus Assignments

(Amended 1/02)

There are certain circumstances in which a member of the faculty will be absent on business which is not personal but which is educational in character and is carried on specifically for the benefit of the University. An absence under such circumstances is called "off-campus assignment." Written approval of off-campus assignments, whether or not there is to be reimbursement by the University for travel expense, must be obtained from the dean or departmental executive officer. If the assignment is for a period longer than three weeks, written approval must be obtained from the Office of the Executive Vice President and Provost. Deans and departmental executive officers obtain approval from the Office of the Executive Vice President and Provost (see III-22). Any circumstances involving borderline situations between leave of absence and off-campus assignment should be cleared with the Executive Vice President and Provost.

See also III-22.7.

III. Human Resources

Chapter 22 – Paid Absences

(Amended 9/93; 8/95; 2/99; 3/99; 5/99; 8/00; 11/00; 12/01; 7/02; 9/02; 5/03; 10/04; 1/06; 3/06; 5/06; 5/07; 6/07; 9/07; 1/09; 10/1/10; 10/14; 7/1/17)

22.1 Definitions

(Amended 5/99; 1/06; 9/07; 10/14; 7/1/17)

For purposes of this section, the following definitions apply.

a. "Sick leave" is defined as credits used by an eligible employee to continue compensation during an absence due to a personal medically related disability, family caregiving, funeral, service as a pall bearer, on-the job injury (to the extent provided for in III-33), or adoption as defined in this section. Sick leave credits cannot be used towards any other type of absence.

b. "Immediate family" is defined as and limited to the employee's spouse/domestic partner (same and opposite gender), children, grandchildren, foster children, stepchildren, legal wards, parents, grandparents, foster parents, stepparents, brothers, foster brothers, stepbrothers, sons-in-law, brothers-in-law, sisters, foster sisters, stepsisters, daughters-in-law, sisters-in-law, aunts, uncles, nieces, nephews, first cousins, corresponding relatives of the employee's spouse/domestic partner, and other persons who are members of the employee's household.

c. "Medically related disability" is defined as the personal medical disability of an employee to the extent authorized by the *Iowa Code*. Medically related disability includes the time during which an employee who is a birth mother is unable to work because of a medically related disability caused or contributed to by a pregnancy-related condition.

d. "Family caregiving leave" is defined as an absence to provide care of and necessary attention to ill or injured members of the employee's immediate family.

e. "Funeral leave" is defined as an absence due to the occurrence of death in the employee's immediate family. (See III-22.4 for attending funerals of those not a member of the employee's immediate family.)

f. "Service as a pall bearer" is defined as absence for serving as a pall bearer at the funeral of a person not a member of the employee's immediate family.

g. "Adoption leave" is defined as leave taken by a newly adoptive parent for the purpose of adjusting to and caring for the newly adopted child(ren).

h. "On-the-job-injury." See III-33 Accidents; III-18 Insurance.

i. "Bone marrow and organ donor" is defined as leave necessary for an employee to donate bone marrow or an organ.

22.2 General Policy on Absences

(Amended 12/01; 7/1/17)

a. Basic to any employer-employee relationship is an obligation on the part of staff members to report to work on schedule regularly. Occasionally, however, absences or tardiness are unavoidable. When this occurs, it is the responsibility of the employee 1) to notify the supervisor of the absence as soon as the employee knows it will not be possible to be at work on schedule, and 2) to return to work as soon as it is reasonably possible. Employees may not be paid for time not spent at work, except as provided for by policy specifically noted in III-22.

b. In extenuating circumstances (such as a car breakdown or emergency illness in the family) a supervisor may elect to work out an arrangement with an employee who has missed time despite making every reasonable effort to get to work. Such an arrangement is to make up the time missed within the work week in which the absence occurred. Normal procedure is to work out such an arrangement whenever feasible. This does not apply in the case of an employee who could have arrived at work with reasonable effort but who did not make such effort. Charging absences to vacation time is ordinarily not satisfactory.

c. University employees will be expected to make every reasonable effort to report to work as scheduled, even in severe weather conditions. When provided advanced warning, employees are expected to anticipate difficulties and delays in transportation. Upon evaluation of their individual circumstances, employees are expected to make reasonable judgments to avoid serious risks when traveling to and from work. Employees are encouraged to actively communicate with their supervisor or other proper authority regarding their timeliness and attendance during extreme weather conditions, in order to assure proper staffing. When delayed, employees may be expected to report to work as soon as they become available, unless otherwise excused by their supervisor, in order to meet operational needs. Supervisory staff are expected to utilize their discretion reasonably and humanely in relation to this policy.

Absences due to severe weather conditions may be addressed in the following manner, as applicable:

(1) Employees may be authorized to perform work at home or an alternate location, to the extent such is available, practical, and feasible, and provided appropriate accountability.

(2) Employees may be authorized to make up the time absent through an alternate work schedule within the same work week.

(3) Employees may utilize accrued compensatory time (merit) or accrued annual leave (vacation), if available, to remain in pay status, or be placed on leave without pay.

(See also II-22 Extreme Weather Protocol.)

22.3 Sick Leave Policy: Leave for Medically Related Disability, Family Caregiving, Funerals, Service as a Pallbearer, Adoption, and On-the-Job-Injury

(President 1/31/77; amended 2/99; 5/03; 10/04; 1/06; 3/06 [Regents approved 9/14/05]; 5/06; 6/07; 10/1/10; 10/14; 7/1/17)

a. General policy. An absence due to a medically related disability, family caregiving, funeral, service as a pall bearer, adoption, and/or on-the-job-injury is a sick leave absence and is to be charged against an employee's accrued sick leave credits unless other rules apply. Sick leave credits can only be used for sick leave absences, except as provided in subparagraph i below.

b. Accrual. Faculty and staff in regular appointments accrue sick leave.

(1) Sick leave credits accrue at the rate of 12 hours per month of service for a full-time employee. A part-time employee will accrue the fractional proportion of the full-time entitlement. Persons holding an academic year appointment are considered to be employed 9/12 of a calendar year; those holding summer session

appointments are considered to be employed for this purpose for 2/12 of a calendar year.

(2) Sick leave credits accrue when an employee is in pay status.

(3) Sick leave credits do not accrue during any absence without pay.

(4) Holidays falling during a period of absence defined as sick leave are paid as holidays and are not charged to the employee's sick leave accumulation.

c. Sick leave.

(1) Each full- or part-time, regular, and continuous employee is able to use, as indicated in paragraph (2) below, a leave of absence due to a medically related disability, family caregiving, funeral, service as a pall bearer, adoption and/or on-the-job-injury at the normal rate of pay when accrued leave is available. Employees hired on a temporary, on-call, provisional, project, or emergency basis, as well as students hired through the Office of Student Financial Aid and students hired in positions reserved specifically for student employees, are not entitled to sick leave.

(2) Restrictions on sick leave absences. A department will, when satisfied by evidence presented, grant the following amount of paid time off to be charged against and not to exceed the employee's accrued sick leave for:

(a) Medically related disability: A leave for a medically related disability to the extent that the birth mother, who is the employee, has accrued sick leave credits to cover the period. The time during which the employee is unable to work because of a medically related disability caused or contributed to by a pregnancy-related condition is treated as a medically related disability. Birth mothers are entitled to leave for any period of pregnancy-related temporary disability, to be charged against accrued sick leave. Based on current medical practice, a leave of no more than six weeks would not require documentation of disability. If an employee's accumulated sick leave is insufficient to cover the period of pregnancy-related disability, the employee will, at the employee's request, be granted a leave of absence to be charged to vacation time, compensatory time, or a leave of absence without pay. Any authorized leave beyond the period of disability is considered as vacation or a leave of absence without pay. See also III-22.8 Parental Leave.

(b) Family caregiving leave is available so that a faculty or staff member may provide care of and necessary attention to an ill or injured family member. Family caregiving leave was established to assist the faculty or staff member with his or her family-related responsibilities. Family caregiving leave is in addition to vacation leave that can also be used for care and necessary attention of an ill or injured family member.

The maximum usage per year of family caregiving leave includes the current calendar year allowance of up to five days of sick leave (40 hours of sick leave based on full-time employment, pro-rated for part-time), as well as any unused allowance from the previous calendar year, up to 80 hours in total (pro-rated for part-time) for the care of and necessary attention to ill or injured members of the employee's immediate family. Carryover of the unused allowance from the previous year applies to employees covered by a collective bargaining agreement only if the benefit has been negotiated and is contained in the agreement.

Family caregiving leave is paid leave charged to accrued sick leave. Appropriate verification of the status of the ill or injured person may be requested.

In the event that the faculty or staff member does not have accrued sick leave, family caregiving leave is not available. However, the department or unit is encouraged to permit the faculty or staff member to use vacation or leave without pay to respond to family-related responsibilities. See also https://hr.uiowa.edu/policies/clarification-family-caregiving-leave.

(c) Funeral leave: A maximum of three days charged to sick leave (24 hours of sick leave based on full-time employment, pro-rated for part-time) for each occurrence of death in the employee's immediate family. (See III-22.4 for funerals for the employee's immediate family.)

(d) Service as a pall bearer: A maximum of one day charged to sick leave (8 hours of sick leave based on full-time employment, pro-rated for part-time) for each service as a pallbearer at the funeral of a person not a member of the employee's immediate family.

(e) Adoption: A maximum of five days charged to sick leave (40 hours of sick leave based on full-time employment, pro-rated for part-time) by a newly adoptive parent. Departments should work with prospective adoptive parents seeking to adopt through an adoption agency with specific requirements for parental leave, to the extent the adoption leave is not sufficient to undertake an adoption. See also III-22.8 Parental Leave.

(f) On-the-job injury: See III-33 Accidents; III-18 Insurance.

(3) Sick leave may be granted on presentation of satisfactory evidence by the employee. No other absence may be charged against sick leave except as described in paragraphs (2)(a) through (2)(f) above. The employing department may set the standards for satisfactory evidence which may include a doctor's statement or other applicable documentation. Where there is reason to believe the employee is abusing the sick leave privilege or may not be physically able to return to work, the department may also require a doctor's statement.

d. Use of sick leave credits.

(1) Sick leave credits are used at the rate of one hour for each hour of absence.

(2) Sick leave may be used by a faculty member during the academic year or the summer session because of a medically related disability which occurs before a semester or a summer session begins to the extent that sick leave credits are available, and provided that a definite commitment of employment during that period has been consummated before the onset of the disability. For the payment of sick leave benefits, faculty members are considered to be "on duty" five days per week, eight hours a day, even though their classes may be scheduled on more or fewer than five days per week.

(3) Medical and dental appointments which cannot be arranged for off-duty hours are to be charged against sick leave unless other rules apply. Generally, an absence for routine medical and dental care should not exceed two hours.

(4) If a staff member becomes ill during the five working days immediately before a scheduled vacation, the staff member may arrange with the department to postpone the vacation to a mutually satisfactory date. Except for instances in which the staff member is under the care of a physician, sick leave does not apply to an illness incurred during vacations or a paid holiday. If a staff member is under the care of a physician while on his or her paid vacation, the employee may use sick leave for those days upon presentation of satisfactory documentation of such care.

(5) Upon the exhaustion of sick leave, the employee is eligible to use accrued vacation credits for the approved leave.

(6) Increments of accrued sick and vacation leave are available for use on the first day of the month following the month earned. Employees transferring employment within the University during a given month will transfer all leave accrued to date of the transfer.

e. Recording and reporting absences.

(1) Each department must report and keep a record of any faculty or staff member's absence charged to sick leave, vacation, or unpaid leave. The employee has the responsibility of reporting and recording on the absence or departmental report form the reason for the absence and categorizing it properly. If the absence is due to an injury incurred while on duty, the procedure in III-33 Accidents is followed. Consult III-22.4 for leave to attend funerals of those other than the employee's immediate family.

(2) Each department is responsible for terminating the pay of any faculty or staff member who has exhausted available sick leave and vacation credits. Such notification is made through the online transaction system and administrative channels as necessary to reach Payroll by the last day for which the staff member is paid sick leave or vacation benefits.

f. Payment of sick leave.

(1) Payment of sick leave is made on regular payroll dates.

(2) If a faculty or staff member becomes entitled to benefits under Workers' Compensation while still eligible for sick leave payments, the staff member's regular salary will continue to be paid, reduced by Workers' Compensation benefits. Credit for Workers' Compensation benefits will be used to purchase additional days of sick leave for the employee and the total amount of sick leave credit so realized will be exhausted on the staff member's behalf. The University Benefits office will compute the number of days of additional sick leave due to the employee and notify the department involved.

g. Extended total disability.

(1) An employee meeting all requirements for the University long term disability insurance program at the time of the onset of a disability and who continues to be disabled through the greater of 90 working days or the exhaustion of accumulated sick leave is eligible to receive benefits under the insurance plan. The insurer determines whether any insurance benefits are paid and establishes the beginning date of the total disability for that purpose.

(2) The University Benefits Office should be contacted at such time as it is suspected that an employee may be off work 90 or more working days or absent 20 percent or more for four or more continuous months to initiate the completion of the necessary application forms for Long Term Disability benefits. Section III-18.3 contains specific information concerning the Long Term Disability program.

h. Return to work.

(1) When an employee is on a paid leave of absence, the University considers itself obligated to hold the employee's position open for as long as the employee has sick or vacation credits or when on an absence covered by Workers' Compensation, the Americans with Disabilities Act (ADA), the Family Medical Leave Act (FMLA), or other unpaid medical leave has been approved. The employee may return to this position immediately upon ability to perform the essential functions of the position. The University may fill the position on a permanent basis after the employee has exhausted sick leave and vacation except in the case of an employee with academic tenure, or an employee who is on a leave of absence pursuant to Workers' Compensation, the ADA, the FMLA, or other approved leave. In addition, the employee may have the right to return to comparable employment pursuant to the FMLA, ADA, or Workers' Compensation.

(2) As an employee seeks to return to work from a leave, the employee may receive University assistance in returning to his or her position by contacting his or her supervisor, HR Representative, or University Faculty and Staff Disability Services.

(3) Where illness or limitation continues but does not render the employee unable to work, the University will offer an interactive process and attempt to identify reasonable accommodation to the employee's limitations.

(4) An employee unable to perform the essential functions of the current position with reasonable accommodation may request assistance in seeking a vacant position within the University from University Faculty and Staff Disability Services.

i. Sick Leave Transferred to Vacation.

(1) Employees are encouraged to accrue and maintain a minimum of 720 hours of sick leave, where possible. However, an eligible employee may elect to convert sick leave to vacation for any month in which there has been no absence charged to sick leave. The election must be made on the Monthly Time Report. The exchange formula is to receive 4 hours of vacation time in lieu of the 12 hours monthly sick leave accrual. Employees may also make arrangements to automatically convert sick leave to vacation in every month possible. Once an election to transfer sick leave to vacation has been selected and processed through a monthly payroll cycle, the election for that month is irrevocable.

(2) Eligibility is limited to regular employees who have accumulated a minimum of 240 hours of sick leave. Faculty and staff who do not accrue vacation are ineligible for this program.

(3) Any sick leave transferred to vacation will be allowed to accumulate up to two times the annual entitlement. If the use of sick leave reduces an employee's sick leave account below 240 hours, the account must be built up to 240 hours before eligibility conversion is restored.

(See IAC [681]3.143; [681]3.148; see also III-22.8 Parental Leave. Merit system staff should consult III-24.3 for applicable policies.)

22.4 Funeral Leave

(Amended 2/01; 10/04)

Funeral leave can be used for funeral attendance, travel related to the death, or bereavement time. Funeral leave shall normally be used during the seven-calendar day period immediately following the death.

Funeral leave involving the employee's family consists of two parts:

a. A maximum of three days (24 hours based on full-time employment, pro-rated for part-time) for each occurrence of death in the employee's immediate family[1] may be charged to accrued sick leave. If accrued sick leave is not available, the employee may take the days as vacation or as leave without pay.

b. Two additional days (16 hours based on full-time employment, pro-rated for part-time) for each occurrence of death involving the employee's spouse/domestic partner, parents, children, and the corresponding relatives of the employee's spouse/domestic partner and other persons who have acted consistently in the role of parent or child may be charged to vacation if they are contiguous with the initial three days described in paragraph a above. If accrued vacation is not available, the employee may take the days as leave without pay.

It is the employee's responsibility to inform his or her supervisor at the earliest possible time about the number of days required for funeral leave.

Recognizing the wide variety of family configurations that exist, the University strongly encourages departments and units to be flexible in granting additional time off beyond the funeral benefit described above to be supportive of employees who are experiencing a significant personal loss.

Leaves for funerals of those other than the members of an employee's immediate family may be taken with the approval of the employing department. If make-up time cannot be arranged in accordance with University policy, the employing department may agree to charge the lost time to vacation or treat the lost time as leave without pay.

For use of sick leave for serving as a pall bearer at a funeral for a person other than a member of the employee's immediate family, see III-22.3.

Footnote

1. "Immediate Family" is defined as and limited to the employee's spouse/domestic partner, children, grandchildren, foster children, stepchildren, legal wards, parents, grandparents, foster parents, stepparents, brothers, foster brothers, stepbrothers, sons-in-law, brothers-in-law, sisters, foster sisters, stepsisters, daughters-in-law, sisters-in-law, aunts, uncles, nieces, nephews, first cousins, corresponding relatives of the employee's spouse/domestic partner, and other persons who are members of the employee's household (see III-22.1b).

22.5 Approval and Reporting of Paid Absences

(Amended 1/06)

Absences in connection with authorized leaves must be approved in advance by the supervisor or designated department administrator and/or HR Unit Representative. Absences due to illness must be reported in accordance with the procedures set forth under the University's sick leave policy. All other absences, with or without pay, must be reported immediately to the supervisor or designated department administrator and/or HR Unit Representative and approval sought where necessary as determined by the department. Each department is responsible for keeping a record of all absences.

22.6 Voting

Any person entitled to vote in a public election is entitled to time off from work with pay on any public election day for a period not to exceed three hours in length. Application for time off for voting should be made to the staff member's supervisor prior to election day. The time to be taken off may be designated by the supervisor. Time off for voting may be granted only if the staff member's working hours do not allow a three-hour period outside of working hours during which the polls are open.

(IC 49.109; Op. Atty. Gen. 10/31/50; IAC [681]3.147(8A).)

22.7 Family and Medical Leave Act

(Office of the Vice President for Finance and University Services 8/93; 8/95; 5/99; 9/02; 1/09; 10/1/10; 10/14; 7/1/17)

The function of this policy is to provide employees with a general description of their Family Medical Leave Act (FMLA) rights. To view the Department of Labor Employee Rights and Responsibilities Poster, see https://www.dol.gov/whd/regs/compliance/posters/fmlaen.pdf. For additional FMLA information, procedures, and best practices, see https://hr.uiowa.edu/fsds.

a. Definitions.

(1) "Spouse": husband, wife, or spouse as recognized by Iowa law for purposes of marriage, including common law and domestic partners of same and opposite gender registered with the University Benefits Office.

(2) "Parent": biological, adoptive, step-, or foster father or mother or any other individual who stood in the place of a parent to an employee when the employee was under the age of 18; excludes parents-in-law.

(3) "Son or daughter": In the context of leave for birth or adoption, or to care for a family member with a serious health condition, the child is the biological, adopted, or foster child; a stepchild; a legal ward of a child of a person standing in the place of a parent who is either under the age of 18; or is age 18 or older and incapable of self-care because of a mental or physical disability at the time of the need for FMLA leave.

(a) "Incapable of self-care": The individual requires active assistance or supervision to provide daily self-care in three or more of the "activities of daily living" (ADLs) or "instrumental activities of daily living" (IADLs). ADLs include adaptive activities such as caring for self-grooming and hygiene, bathing, dressing, and eating. IADLs include cooking, cleaning, shopping, using public transportation, paying bills, maintaining a residence, using telephones and directories, using a post office, etc.

(b) "Physical or mental disability": A physical or mental impairment that substantially limits one or more of the major life activities of an individual. Regulations at 29 CFR 1630.2(h), (i), and (j).

(4) "Next of kin of a covered service member": The employee's nearest blood relative other than spouse, parent, son or daughter, in the following order of priority: blood relative designated by court degree or statutory provisions, siblings, grandparents, aunts or uncles, first cousins, unless the service member has designated in writing another blood relative as nearest blood relative. When no designation is made, multiple family members of the same level of relationship are next of kin and may take FMLA leave to provide care to the service member.

(5) "Adoption": Legal and permanent reasonability of raising a child as one's own. The source of the adoption is not a factor.

(6) "Foster care": Twenty-four-hour care for children in substitution for and away from their parents or guardian.

(7) "Documenting relationships": The employer may require the employee to give reasonable written documentation of the family relationship.

(8) "Serious health condition": An illness, injury, impairment, or physical or mental condition requiring an overnight stay in a hospital, hospice, or residential medical care facility. Serious health conditions include a period of incapacity or subsequent treatment in connection with the inpatient care or continuing treatment by a health provider. Other serious health conditions include incapacity and treatment, pregnancy and prenatal care, chronic condition, permanent or long-term conditions, or conditions requiring multiple treatments.

(9) "Incapacity and treatment": A period of incapacity of more than 3 full consecutive calendar days and subsequent treatment or period of incapacity related to the condition that requires treatment of 2 or more times within 30 days of the start of incapacity or one treatment and continuing regimen of treatment. The first treatment must be within 7 days of the first day of incapacity.

(10) "Chronic condition": A serious health condition that:

(a) requires periodic visits for treatment by the treating health provider or nurse under supervision;

(b) requires treatment at least twice in 12 months;

(c) continues over an extended period of time;

(d) includes recurring episodes of a single condition; and

(e) may cause episodic periods of incapacity.

(11) "Permanent, long-term conditions": Conditions causing a period of incapacity where treatment may not be effective. Medical supervision is required; however, active treatment is not required.

(12) "Conditions requiring multiple treatments": Absence for treatments and recovery, as applicable, for restorative surgery, when without treatment the condition would likely result in at least 3 consecutive full calendar days of incapacity.

(13) "Incapacity": The inability to work, attend school, or perform other regular daily activities due to the condition, its treatment, or recovery.

(14) "Pregnancy and prenatal care": Birth mother's incapacity due to pregnancy and prenatal care.

(15) "Health care provider": Any person providing treatment authorized by the University major medical insurance plan, individuals authorized to diagnose and treat in the state of Iowa, the United States, or another country. Chiropractic treatment is limited to manual manipulation of the spine.

(16) "Unable to perform the functions of the position": The health care provider determines the employee is unable to work or is unable to perform one or more of the essential functions of the employee's position may be considered to have a disability as defined by the Americans with Disabilities Act as amended. Absence for treatment of a serious health condition is considered "unable to perform essential functions" during the necessary absence.

(17) "Intermittent or reduced leave": Intermittent leave may be taken in separate blocks of time reducing the work day for a single condition and may use increments of no less than 6 minutes. Reduced leave is a scheduled reduction of a workday or workweek.

b. Employee notification. FMLA information concerning rights and responsibilities are provided upon hire to all new employees within University and University of Iowa Health Care orientation(s). Mandatory Department of Labor FMLA Notice and supplementary information concerning Military Family Leave posters are displayed in the University Employment Services office and individual employing department Human Resource areas. Employee questions or concerns with this policy should be directed to the Human Resource Representative or University Faculty and Staff Disability Services (hr-fsds@uiowa.edu).

c. General provisions. The University will grant up to 12 weeks per calendar year or up to 26 weeks of military caregiver leave during any 12-month period to eligible employees.

Leave under FMLA may be paid, unpaid, or a combination of paid and unpaid leaves, depending on the circumstances of the leave and the employee's eligibility for different leaves. Employees may also use comp time to remain in paid status while in FMLA. Refer to https://hr.uiowa.edu/fsds for employee leave eligibility information.

d. Employee eligibility. The employee must meet all of the following conditions:

(1) The employee must have worked for the University for at least 12 months or 52 weeks. The 12 months or 52 weeks need not have been consecutive. Separate periods of employment will be counted toward the 12 months except for periods of employment prior to a 7-year break in service. However, separate periods of employment are to be counted if the break in service exceeds 7 years due to eligible military service obligations.

An employee will be considered to have been employed for an entire week even if the employee was on the payroll for only part of a week or if the employee is on paid or unpaid leave during the week.

(2) The employee must have worked at least 1,250 hours in the 12-month period preceding the date when the leave is intended to commence. Hours absent from work, whether paid (vacation, sick, holiday, jury, administrative, etc.) or unpaid, are not included in the 1,250 hours required for FMLA eligibility.

(3) Employee eligibility pursuant to work location will be determined at the time a request for leave is made. Employees must work within 75 miles of the worksite where they report or are assigned work and this worksite must have a minimum of 50 University employees reporting to that worksite. The distance is to be calculated by using available transportation and the most direct route. The office location for employees who work from home is the office that assigns work.

(4) Employees on non-FMLA leave who become eligible for FMLA during the leave period will have any remaining absence that qualifies as FMLA designated as FMLA.

(5) Employees cannot waive their rights to use FMLA.

e. Types of qualifying leave.

(1) Employees who are eligible for FMLA may use FMLA for any and all of the reasons below:

(a) Prenatal care for and birth of a child, as well as bonding time with the child during the 12 months following the child's entry to the home.

(b) The pre-placement proceedings required for an employee's adoption or foster care placement efforts, the placement of a child for adoption or foster care, and to bond with the child during the 12 months following the child's entry to the home.

(c) To care for a spouse (including a University registered domestic partner), child, or parent with a serious health condition. Care may include provision of treatment or psychological comfort.

(d) Due to the serious health condition of the employee. The employee is unable to perform the essential functions of the job with reasonable accommodation, and work absence is medically necessary.

(e) Qualifying exigency leave — leave required because the spouse, son, daughter, or parent of the employee is a service member on active duty or has been notified of an impending call to covered active duty status in support of a contingency operation. Service members include members of the National Guard, the Reserves, and certain retired members of the Regular Armed Forces and retired Reserve. Employees may take up to 12 weeks of leave for reasons related to or affected by the family member's call-up, impending call-up, or service. The leave may commence as soon as the covered service member receives the call-up notice.

This type of leave is counted toward the employee's 12-week maximum of FMLA leave in a calendar year. The qualifying exigency must be one of the following: 1) short-notice deployment, 2) military events and activities, 3) child care and school activities, 4) financial and legal arrangements, 5) counseling, 6) rest and recuperation, 7) post-deployment activities, 8) parental care, and 9) additional activities that arise out of active duty, provided that the employer and employee agree to the leave and on timing and duration of the leave.

"Son" or "daughter" for FMLA leave related to military service is defined the same as "child" for other types of FMLA leave except that the son or daughter need not be a minor.

(f) Military caregiver leave to care for a covered service member with a serious injury or illness. This leave may extend to up to 26 weeks in a single 12-month period for an eligible employee to care for a spouse, son, daughter, parent, or next of kin covered service member.

f. Amount of leave.

(1) Personal or family illness: An eligible employee can take up to 12 weeks of FMLA leave during a calendar year.

(2) Military caregiver leave: An eligible employee can take up to 26 weeks for qualifying military caregiver leave during a single 12-month rolling period. The 12-month rolling period is measured forward. FMLA leave already taken in the calendar year for other FMLA events will be deducted from this 26-week period. When two University employees are spouses as defined herein and each wishes to take leave to care for a covered injured or ill service member, the two employees may only take a combined total of 26 weeks of leave.

(3) Child entering the home: When both parents, individuals who are domestic partners registered with the University Benefits Office or are married as recognized by the state of Iowa, including common law, work for the University and each wishes to take leave for a child entering the home, birth of a child, adoption, or placement of a child in foster care, the two employees may only take a combined total of 12 weeks of leave.

(4) Holidays are charged to FMLA leave if the employee is taking a continuous leave of a full workweek. Holidays are not charged to FMLA for leaves of less than one full week.

g. Duration of leaves. An eligible employee may take FMLA leave continuously, intermittently, or on a reduced workweek or workday basis. During a calendar year leave may not exceed a total of 12 workweeks for continuous leaves. Intermittent leave may not exceed 480 hours for FTE appointments or the corresponding amount according to percentage of appointment. The maximum leave available to care for an injured or ill service member in a rolling 12-month period is 26 workweeks and the intermittent leave maximum of 1,040 hours for FTE appointments or the corresponding amount according to the percentage of appointment. The 26 weeks will include any leave taken for other nonmilitary FMLA qualifying events during a calendar year.

Intermittent or reduced schedule for planned medical treatment or after the birth or placement of a child (unrelated to an employee illness) requires that employees make a reasonable effort not to disrupt work operations. Scheduling of these absences is to be arranged with the employer.

h. Status, pay, and benefits during leave. An employee using FMLA retains employment rights during leave. FMLA runs concurrently with applicable pay policies. Faculty and staff should remain in pay status whenever possible using applicable sick or family caregiving leave, or vacation or comp time (as applicable). See III-22.3 above and https://hr.uiowa.edu/policies/clarification-family-caregiving-leave.

Employee absence for prenatal care, pre-adoption, and pre-foster placement and leave following the child's entry to the home (birth, placement in the home) are FMLA events and the employee pay status runs currently with the leave.

An employee using a planned reduced schedule to take foreseeable intermittent FMLA leave may be temporarily transferred to an available alternative work assignment with equivalent pay and benefits if the alternative assignment can better accommodate an intermittent or reduced schedule.

An employee may be transferred to a part-time job with the same rate of pay and benefits provided no more leave than is medically necessary is required. Equivalent duties are not necessary but duties cannot be assigned to discourage the employee from taking leave. The employee, when able to return to full schedule, will be returned to the same or equivalent job held prior to the leave, complying with other policy and bargaining contracts as applicable.

The University will continue the employee's health benefits during any period of paid and unpaid FMLA leave. The employee is to contact University Benefits to arrange for premium coverage of all other insurance benefits during unpaid leave.

An employee not returning to work following FMLA leave will not be required to reimburse the University for health insurance premiums provided by the University during the leave.

i. Status after leave. An employee taking FMLA leave will be returned to the same position held when leave commenced or to a position that is virtually identical in terms of pay, benefits, and working conditions. The employee must be able to perform the essential functions of the position with reasonable accommodations, as applicable.

j. Certifications.

(1) Employee's serious health condition. Certification from the employee's treating health provider should be requested if the employer's knowledge regarding the need for leave is unknown or unclear. Typically, a department Human Resources representative should inform the employee of the need for a health certification within five days of knowing about the need for leave. The employee must provide the health certification within 15 days of the request or provide reasonable explanation for the delay. The expense of the certification is the responsibility of the employee. Failure to provide certification may result in denial of FMLA designation. Certification should be made using the Department of Labor (DOL) Certification of Health Care Provider for Employee's Serious Health Condition; however, the University may accept other documentation if the necessary information required for leave is provided.

The University Faculty and Staff Disability Services staff, or designee, may contact the employee's health provider directly for verification or clarification purposes if leave communication deficiencies continue after the employee has been given 7 days to resolve such deficiencies, provided that the employee has authorized the University to contact the health provider.

A second opinion may be requested by University Faculty and Staff Disability Services staff when there are reasons to question the documentation. The provider of the second opinion will be selected by University Faculty and Staff Disability Services and the employing department will provide payment for certification. FMLA may be refused if the selected provider cannot obtain the relevant medical records necessary to make the certification.

A third opinion may be requested by University Faculty and Staff Disability Services when conflict exists between the first and second opinions. The provider will be mutually selected by University Faculty and Staff Disability Services staff and the employee. The employing department will provide payment for the third opinion. This opinion will be considered final.

The employee will be provisionally entitled to FMLA leave and benefits pending the second and/or third opinion.

Second or third opinions are not to be requested for covered service member leave.

(2) Family member's serious health condition. Certification from the family member's treating health provider should be requested if the employer's knowledge of the need for leave is unknown or unclear. Typically, a department Human Resource representative should inform the employee of the need for a health certification within 5 days of knowing about need for leave. The employee must provide the health certification within 15 days of the request or provide reasonable explanation for the delay. Failure to provide certification may result in denial of FMLA designation. Certification should be made using the DOL Certification of Health Care Provider for Family Member's Serious Health Condition; however, the University may accept other documentation if the necessary information required for leave is provided.

The employee will be granted 7 days to resolve certification deficiencies. Unresolved deficiencies may result in denial of FMLA coverage.

The employee will be provisionally entitled to FMLA leave during the documentation request and review period.

(3) Qualifying exigency for military leave. Certification should only be requested if knowledge of need for leave is unknown or unclear. The University may request copies of the active duty orders or other documentation issued by the military noting active-duty status or call to active duty. If further certification is sought, typically, a department Human Resource representative will inform the employee of the need for certification within 5 days of knowing about need for leave. The employee must provide the certification within 15 days of the request or provide reasonable explanation for the delay. Certification should be made using the DOL Certification of Qualifying Exigency for Military Family Leave; however, the University may accept other documentation if the necessary information required for leave is provided.

The employee will be granted 7 days to resolve certification deficiencies. Unresolved deficiencies may result in denial of FMLA coverage.

The employee will be provisionally entitled to FMLA leave during the documentation request and review period.

(4) Serious injury or illness of covered service member. Certification from the service member's treating health provider, i.e., U.S. Department of Defense, U.S. Department of Veterans Affairs, authorized provider in a DOD TRICARE network, or authorized private provider of a DOD TRICARE network, may be requested if knowledge of need for leave is unknown or unclear. Typically, a department Human Resource representative will inform the employee of the need for a health certification within 5 days of knowing about need for leave. The employee must provide the health certification within 15 days of the request or provide reasonable explanation for the delay.

The employee will be granted 7 days to resolve certification deficiencies. Unresolved deficiencies may result in denial of FMLA coverage.

The employee will be provisionally entitled to FMLA leave during the documentation request and review period.

k. Recertification. Recertification of a serious health condition for the employee or the employee's family member may be requested:

(1) no more frequently than every 30 days when the duration of the health condition is unknown,

(2) when information is received casting doubt on the reason given for the absence,

(3) when an extension is requested, or

(4) when circumstances described in the previous certification have changed significantly.

Information concerning the employee's leave use may be submitted to the treating health provider on the certification document with a question whether the leave is consistent with the employee's serious health condition. The University will allow 15 calendar days for the employee to provide the recertification. When recertification is not received further FMLA leave may be denied. No second or third medical opinions from University-selected doctors may be requested of a recertification. Recertification is not to be requested for covered service member leave.

l. Requesting leave. Employees are required to provide information regarding their need for leave sufficient to allow the University to determine if the leave qualifies under FMLA. Failure to provide sufficient information may result in denial of FMLA designation.

Unscheduled and scheduled employee leave will be evaluated by the University to determine employee and event eligibility. Employees giving notice of need for foreseeable leave should do so, when practicable, at least 30 days in advance of using leave.

FMLA may be denied if verbal or written notice is not reasonably given for scheduled absence or if department call-in procedures are not followed.

m. Designation of leave. Typically within 5 business days after learning of the current leave or need for future leave the University will complete and provide the employee with the DOL Notice of Eligibility and Rights and Responsibilities.

For FMLA-eligible employees, typically within 5 business days after receiving adequate information either from the employee, employee's representative or certification supporting the employee's need for leave, the University will complete and provide the employee with a written response to the request for leave using the DOL Designation Notice.

Employees may consult with University Faculty and Staff Disaiblity Services regarding concerns about the designation of leave that cannot be resolved by their department Human Resources Representatives.

When employers are unaware of how to designate an employee's absence they should make reasonable inquiry with employees or their spokesperson to ascertain whether leave is potentially FMLA qualifying.

If leave was used in any 30-day period, employees may request the amount of FMLA leave available to them once every 30 days.

If the "return to work" guidelines (paragraph o below) dictate that the employee should provide release to work documentation before being allowed to return, the department must note this requirement on the Designation Notice at the time leave is approved. The department should also attach a list of the essential job functions to the Designation Notice and explain on the Designation Notice that the release to work documentation must address the employee's ability to perform the essential functions of the job.

The University shall notify employees, using the DOL Designation Notice, when leave events or employees do meet FMLA eligibility criteria.

Leave may be designated retroactively as FMLA leave if authorized by University Faculty and Staff Disability Services.

n. Employee communication during leave. The University should make arrangements with employees on leave regarding any reporting requirements during their absence. Employees on unscheduled and scheduled leave should maintain regular communication with their designated University contact person, applicable to each employee's situation and without discrimination, to address unmet work needs during absence and communicate changes in health and abilities to work.

o. Return to work. A release to work document may only be required by the University if presented to the employee with the DOL Designation Notice. A release to work/fitness for duty document from the treating health provider should be required in situations of employees taking leave for their own serious health condition that requires continuous leave of 5 or more days, inpatient hospitalization, or when the health condition implicates the safety of self or others. A release to work or fitness for duty clearance may be requested for intermittent leave when reasonable questions regarding safety exist and if the employee was notified of this requirement at the time of designation. The treating health provider must attest the employee is able to perform the essential functions of the job. The employee will be given 7 days to resolve incomplete or unclear release information. If unresolved after 7 days, University Faculty and Staff Disability Services may contact the treating health provider for purposes of clarifying and authenticating the Release to Work document. The employee will not return to work until the completed certification document is received by the employer.

The cost of obtaining the release document is the responsibility of the employee.

22.8 Parental Leave Policy

(Amended 5/99; 8/00; 1/06; 5/07; 10/14; 7/1/17)

a. Purpose. To permit parents who have care giving responsibilities to have time off to spend with a child newly added to the family and, to the extent permitted by state law, to be paid during such leave. To adapt an employee's work schedule and/or duties to help reduce conflict with parental obligations.

b. Entitlement to Leave.

(1) Twelve-month faculty, professional and scientific staff, and non-organized merit system staff.

(a) Birth mothers are entitled to leave for any period of pregnancy-related temporary disability, to be charged against accrued sick leave. Based on current medical practice, a leave of 6 weeks or less would not require the employee to provide disability documentation. If an employee's accumulated sick leave is insufficient to cover the 6-week period of disability, the leave balance will be charged, at the employee's request, to vacation time, compensatory time, or a leave of absence without pay. Any request for non-medically necessary absence beyond the 6-week period of disability is considered as a leave of absence without pay or as vacation.

(b) A newly adoptive parent, including a domestic partner, is entitled to 1 week (5 days) of paid adoption leave to be charged against accrued sick leave. Departments are encouraged to arrange for additional leave as necessary. Departments should work with prospective adoptive parents seeking to adopt through an adoption agency with specific requirements for parental leave, to the extent the adoption leave is not sufficient to undertake an adoption. Time not charged to accrued sick leave may be charged to accrued vacation or taken as leave without pay.

(2) Nine-month faculty.

(a) Birth mothers are entitled to leave for any period of pregnancy-related temporary disability, to be charged against accrued sick leave. Based on current medical practice, a leave of 6 weeks or less would not require the employee to provide disability documentation. If an employee's accumulated sick leave is insufficient to cover the 6-week period of disability, the leave balance will be charged, at the employee's request, to vacation time, compensatory time, or a leave of absence without pay. Any request for non-medically necessary absence beyond the 6-week period of disability is considered as a leave of absence without pay or as vacation.

(b) A newly adoptive parent is entitled to 1 week (5 days) of paid adoption leave, to be charged against accrued sick leave. Departments should work with prospective adoptive parents seeking to adopt through an adoption agency with specific requirements for parental leave, to the extent the adoption leave is not sufficient to undertake an adoption.

c. Adaptation to employment duties and/or schedule — 12-month faculty, 9-month faculty, and staff.

(1) For each minor child newly added to the family of a probationary faculty member (e.g., biological, adopted, stepchild, or by guardianship) during the probationary period or within 2 years prior to the initial appointment, the faculty member shall be eligible for extension of the probationary period as provided in III-10.1a(4)(e)(1).

(2) Departments shall work with faculty and staff to modify schedules and duties, such as travel, to assist new parents.

d. Family Caregiving Leave. See III-22.3 above.

(See also III-24 Flexible Scheduling.)

22.9 Catastrophic Leave Donations

(President 9/93; amended 9/97; 7/02; 1/06)

The University offers to faculty and staff members the ability to receive and donate accrued vacation leave due to a personal or family catastrophic illness or injury which results in a medical condition for which a physician has certified that the condition is likely to result in a loss of 30 or more work days. All faculty and staff who accrue vacation are eligible to participate. An individual must have exhausted all paid leave and not be receiving long-term disability in order to be qualified to receive donations. The total donations received by an employee shall not exceed the amount necessary to cover the long-term disability waiting period. If the donations are needed due to a family member illness or injury, donations cannot exceed 1 year. Leave must be donated in increments of 1 hour or more.

(See also III-22.8 Parental Leave; III-26.7 Courses for Maintaining Professional Licensing Requirements; III-22 Absences; and https://hr.uiowa.edu/benefits/catastrophic-leave.)

22.10 Religious Diversity and the University Calendar

(3/99; 11/00)

Religious history, religious diversity, and spiritual values have formed a part of The University of Iowa's curricular and extracurricular programs since the founding of the University. In order to advance religious diversity on campus, the University makes reasonable accommodations for students, staff, and faculty whose religious holy days coincide with their work schedules and classroom assignments. As a public institution, the University neither promotes any particular form of religion nor discriminates against students, staff, or faculty on the basis of their religious viewpoints.

University holidays are not religious holy days, although a religious holy day may coincide with a University holiday. The University is prepared to make reasonable accommodations in its work assignments, test schedules, and classroom attendance expectations in a manner which is consistent with the University Policy on Human Rights (see II-3) and does not unfairly burden employees and students.

a. Students. With regard to classroom attendance, students who notify the faculty (including teaching assistants) of a religious holy day conflict in a timely manner shall be excused from class or other scheduled academic activity to observe a religious holy day of their faith. Where attendance is mandatory, students compelled by their religious convictions to refrain from attending class on specific days must notify their instructors during the first few days of the semester or session, and no later than the third week or one week before the absence if a conflict occurs before that time.

   Students who notify their instructors of a religious holy day conflict in a timely manner shall be permitted a reasonable amount of time to make up the material or activities covered in their absence, including tests. Students who receive an exemption on religious grounds cannot be penalized for failing to attend class on the days exempted. The instructor may, however, appropriately respond if the student fails to satisfactorily complete any alternative assignment or examination.

   In those cases where a request for an excused absence based upon a religious holy day conflict is denied by the instructor, a student may pursue a grievance under "Student Complaints Concerning Faculty Actions" (see Policies and Regulations Affecting Students). Where a timely request is made but denied by the instructor, the grievance process shall be expedited as much as reasonably possible to ensure that a student pursuing a religious holy day accommodation is not unduly disadvantaged by the passage of time.

   Students with attendance conflicts may be required to notify an instructor in writing. An instructor who requires written notice must inform the class of this expectation in the class syllabus. An instructor may deny a student's request for an excused absence on the ground that the request was not made within a reasonable time period, that is, no later than the third week of class or one week before the absence if a conflict occurs before that time.

b. Faculty. Faculty members have "the responsibility to meet classes as scheduled and, when circumstances prevent this, to arrange equivalent alternate instruction" (see III-15.2 Responsibilities to Students). Faculty members who wish to observe religious holy days must fulfill the above-mentioned policy and satisfy any other responsibilities regarding off-campus time, including proper notice, in accordance with their standard departmental procedures.

   When scheduling tests, instructors are encouraged to take cognizance of religious holy days which fall on University class days. In addition, faculty should include in their syllabi information regarding the policies for handling conflicts between classroom activities (attendance, tests, etc.) and religious holy days. Such policies must be consistent with University policies (see paragraph a above).

c. Staff. Staff members may request accommodation for religious observances through their immediate supervisor. Accommodation may be in the form of scheduled leave or an alternate work schedule. Approved absences will be recorded as vacation. In cases when vacation is not available or an alternative work schedule is not possible, a leave of absence without pay may be permitted. Departments will attempt to accommodate such requests, balancing the request to accommodate with the particular needs of the work unit.

   In order to best meet staff needs in an area, appropriate advance notice is required.

22.11 Sick Leave Payout at Time of Retirement

(10/04)

Faculty and staff who retire at age 55 and older and have unused sick leave hours are eligible to receive a cash payment not to exceed $2,000 based upon their current rate of base pay and the amount of unused accumulated hours (*Iowa Code* 70A.23). Any amount beyond this figure is forfeited. This payout is incorporated into the Fringe Benefit Pool charge.

22.12 Bone Marrow and Organ Donation

(9/07)

a. Employees who are absent in order to serve as bone marrow or organ donors will be provided paid leave, not charged against sick or vacation accruals, for up to 5 work days for a bone marrow donation or up to 30 days for an organ donation.

b. "Organ" in this context includes lung, liver, pancreas, kidney, intestine, or other organ that requires the continuous circulation of blood to remain useful for purposes of transplantation.

c. Donation verification is to be provided by the physician or hospital involved in the donation.

d. Such leave will not cause loss of pay, benefits, accruals, or overtime accumulation.

(See IC 70A.39.)

III. Human Resources

Chapter 23 – Holidays and Vacations

(1/01; amended 10/04; 8/05; 12/05; 10/1/10; 10/14; 7/1/17)

23.1 Holidays

(Amended 9/93; Regents amended 6/14/95, effective 1/1/95; amended 8/05; 7/1/17)

a. General. Staff members with permanent and continuous appointments, on a full- or part-time basis, are entitled to holiday pay in proportion to their fraction of service. Staff members hired on a temporary, on call, provisional, project, or emergency basis, as well as students hired through the Office of Student Financial Aid and students hired in positions reserved specifically for student employees, are not entitled to holiday pay.

b. Paid Holidays.

(Board of Regents 7/28/77; amended 7/1/17)

(1) Members of the University staff are eligible for 11 paid holidays a year — two personal holidays that accrue and are taken as vacation, New Year's Day, Martin Luther King Day, Memorial Day, Independence Day, Labor Day, Thanksgiving Day, the Friday following Thanksgiving, Christmas Day, and an additional day near Christmas designated in the official University calendar.

(2) Once personal holidays are added to the staff member's accrued vacation, they are taken in accordance with the policies governing vacation.

(3) When New Year's Day, Independence Day, or Christmas Day fall on Saturday, the Friday preceding is declared the holiday. When any of the three holidays falls on Sunday, the Monday following is declared the holiday.

(4) Holiday pay is granted to all permanent and continuous staff members provided they work their last regularly scheduled workday prior to, and also their first regularly scheduled workday following a holiday, unless failure to work on either or both days is excused because of: 1) scheduled vacation days, or 2) scheduled compensatory time off, or 3) personal illness or injury, or 4) other extraordinary circumstances beyond the control of the staff members which cannot be corrected in time for them to meet their employment obligations.

(5) When a holiday falls during the period of a leave of absence without pay, the staff member is not entitled to equivalent time off nor pay for the holiday.

(6) If a University holiday falls on a staff member's regular day off, where the individual is covered by the Fair Labor Standards Act, he or she will be given another day off within the next pay period if at all possible or will be paid for the holiday if the compensatory time cannot be scheduled. Whenever possible and feasible, department heads and supervisors should decide whether a staff member will be paid for a holiday or given time off at a later date in accordance with the wishes of the staff member.

(7) A Merit System staff member required to work on a holiday will be compensated at the rate of time and one half for all hours actually worked.

c. Reporting. Reports on personal holidays are a part of the Employees Sick Leave and Vacation Report or departmental form conveying the information.

(See also IAC [681]3.142(19A).)

23.2 Vacations

(Iowa Code, Chapter 70A.1; President 7/1/79; 9/93; Regents amended 6/14/94, effective 1/1/95; amended 10/04; 10/10; 10/14; 7/1/17)

Vacation is granted at the discretion of the department heads; however, every reasonable effort should be made to schedule sufficient vacation so as to prevent any loss of accrued vacation. Vacation may be accrued to an amount not to exceed twice the staff member's annual entitlement. No staff member may be granted vacation in excess of the amount accrued.

a. General.

(Amended 8/1/99; amended 3/01; 3/02; 10/04; 10/10; 7/1/17)

Staff members and eligible faculty on permanent continuous appointments, as well as Merit System staff hired on project appointments of more than four months' duration, are entitled to vacation with pay. Those on appointments which are less than full time are entitled to vacation with pay in proportion to their percent of time. Staff members hired on a temporary, on-call, or emergency basis are not entitled to vacation pay while on these types of appointments. Students hired through the Office of Student Financial Aid and students hired in positions reserved specifically for students are not eligible for vacation pay. Faculty on academic-year appointments are not eligible for vacation pay.

(1) Accrual. Vacation and personal holiday accruals are computed for all service in pay status and are based on a monthly period of service. Accruals for periods of less than a full month in pay status, e.g., cases in which an eligible faculty or staff member is hired during the month, are based on the number of full days in pay status (see paragraphs b and c below for fractional computations). Vacation and personal holiday entitlements may accrue to an amount not to exceed twice the eligible faculty or staff member's annual entitlement. This amount may only be exceeded by the amount of vacation converted from sick leave (see III-22.3) and is limited to the number of hours which can be converted in a two-year period.

(2) Usage. Vacation and personal holidays are used at the rate of one hour for each hour of paid absence. When a paid University holiday occurs within a period of vacation, no charge is made against accruals for that day. Vacations make a recognized contribution to faculty and staff effectiveness and departments are to schedule vacations on a regular basis consistent with operational needs of the department.

(3) Compensation. A faculty or staff member may not continue to work during a period of paid vacation and thereby be entitled to additional compensation for work performed. For staff and faculty with an accrued vacation balance at termination, the accrued vacation balance will be paid as a lump sum at the current hourly rate of pay and is not to be used to extend the last day of service.

(4) Requests. A request for approval of specific vacation dates is prepared on an online Absence Request form or a specified departmental form. Application procedures such as how far in advance requests must be made, length of vacation which may be requested, etc., are as designated by appropriate departmental policies and procedures.

(5) Reports. Vacation usage is reported to the University vacation and sick leave accounting system using the various forms provided by University Payroll. A cumulative report of usage and accruals (Vacation/Sick Leave Report) is available online for departmental use. The report is available at University of Iowa Employee Self Service under the Personal tab and Time Reporting heading.

(6) Banked Vacation. Excess vacation hours are transferred to a "banked status" when a change in status, e.g., transfer from a full-time position to a part-time position, causes an eligible faculty or staff member to have more accrued vacation than would be allowed by their new status.

b. Faculty and Professional and Scientific Staff.
(President 8/22/74; Regents 6/14/94 changes effective 1/1/95; amended 7/1/17)

In general, this policy applies to faculty and staff members who are exempt from overtime premium pay, excluding staff nurses and allied health professionals whose terms of employment are established in the *UI Health Care Employee Manual* (available through The Point or from a local Human Resource Representative). Faculty and covered professional and scientific staff members on a twelve-month appointment accrue vacation and personal holidays at the following rates:

	Annual Rates	Monthly Rates
Vacation	22 days or 176 hours	14.67 hours
Personal Holidays	2 days or 16 hours	1.33 hours
Total	24 days or 192 hours	16 hours

One day of service rates are calculated by taking the appropriate monthly accrual rate and dividing it by the number of working days in the month.

Note: All rates shown are for full-time faculty and staff. Part-time faculty and staff accrue in proportion to their percent of time. Faculty and staff on academic-year appointments are not eligible for vacation or personal holiday pay.

Where less than a full month in pay status is involved, e.g., cases in which an eligible faculty or staff member is hired during the month, accruals for that month are computed using the one-day-of-service rate multiplied by the days in pay status. Vacation credits do not accrue for less than one day in pay status.

c. Merit System Staff.
(Amended 10/10; 7/1/17)

(1) Length of Service. In determining length of service for the various rates of accrual, credit will be given for all service with the University, as well as service with other state agencies provided all periods of service are considered continuous. To be considered continuous there cannot be more than thirty calendar days between the last day worked in one position and the first day worked in the next position. The only exception to this requirement is for those staff hired on or before November 22, 1977, and who were granted credit for prior periods of service at time of hire. These staff will maintain such credit as long as all service subsequent to November 22, 1977, remains continuous. It is the responsibility of the staff member to furnish Human Resources and the employing department with an official statement of service from the prior state agency.

(2) Vacation and Personal Holiday Accrual (IC 70A.1). Merit System staff members shall accrue 10 days vacation per year during the first through fourth year of employment, 15 days per year during the fifth through eleventh year, 20 days per year during the twelfth through nineteenth year, 22 days per year during the twentieth through twenty-fourth year and 25 days per year for the twenty-fifth and all subsequent years. Personal holidays accrue at the rate of two per year regardless of years of service.

Years of Service	Annual Rates	Monthly Rates
1 - 4	10 days or 80 hours	6.67 hours
5 - 11	15 days or 120 hours	10.00 hours
12 - 19	20 days or 160 hours	13.33 hours
20 - 24	22 days or 176 hours	14.67 hours
25+	25 days or 200 hours	16.67 hours

One-day-of-service rates are calculated by taking the appropriate monthly accrual rate and dividing it by the number of working days in the month.

Personal holidays are added to the above vacation schedule as follows:

Annual Rate	Monthly Rate	One-Day-of-Service Rate
2 days or 16 hours	1.33 hour	.062 hour

One-day-of-service rates are calculated by taking the appropriate monthly accrual rate and dividing it by the number of working days in the month.

Note: Vacation and personal holiday rates shown above are for full-time Merit System staff. Part-time staff accrue in proportion to their percent of time.

Where less than a full month in pay status is involved, e.g., cases in which a staff member is hired during the month, accruals for that month are computed using the one-day-of-service rate multiplied by the days in pay status. Vacation credits do not accrue for less than one day in pay status.

(See also IAC [681]3.85(8A) and [681]3.141(19A).)

III. Human Resources

Chapter 24 – Flexible Work Arrangements

(8/00; 3/02; 6/05; 8/08; 4/13; 7/1/17)

24.1 General

(Amended 7/1/17)

a. The University supports the general concept of flexible work arrangements. Flexible work arrangements apply to both merit and professional and scientific (P&S) staff.

A flexible work arrangement allows the application of an innovative approach to achieve a highly productive, harmonious work environment that is responsive to the changing professional and personal needs of today's workforce. Flexible work arrangements refer to flextime, compressed work week, telecommuting, reduced work week/part-time, and job sharing.

Formal flexible work arrangements as described below do not replace incidental temporary adjustments of an employee's schedule that, on occasion, arise in the workplace. Neither this policy nor any formalized flexible work arrangement can supersede or contradict the terms and conditions of any union contracts and/or the appropriate administration and use of vacation and sick leave credits as defined by University of Iowa policy.

b. Flexible work arrangements can produce a variety of benefits for both the employee and department. Typical benefits may include:

(1) uninterrupted time for creative, repetitive, or highly detailed work;

(2) reduced stress;

(3) improved balance between work and personal commitments;

(4) expanded coverage;

(5) more efficient use of space and equipment;

(6) a better fit between individual work schedules and work styles; and

(7) overall greater productivity, higher morale, improved retention, and more effective recruitment.

c. Flexible work arrangements are not appropriate for all positions or in all campus settings. The University is an organization with diverse work environments, many of which require specific staffing patterns to function effectively. Additionally, health and safety considerations may preclude a specific flexible work arrangement.

A flexible work arrangement is not a right of employment. It is established at the discretion of the employing unit and may be subject to change at the discretion of the unit.

If established, a flexible work arrangement does not serve as a precedent for a future arrangement within a department. The success of a flexible work arrangement lies in it being mutually beneficial for the unit and the employee established on a case-by-case basis. The University recognizes many valid reasons why an employee may request a flexible work arrangement, including, but not limited to: professional development, community activities, family responsibilities, individual work habits and style, health and well-being. The decision to grant a flexible work arrangement request should be based on employee performance and operational interests.

(See https://hr.uiowa.edu/family-services/flexible-work-options.)

24.2 Flextime

Flextime refers to practices such as:

a. individualized start and end times that remain constant each work day;

b. individualized start and end times that vary daily, however, the same number of hours are worked every day;

c. individualized start and end times with varied daily hours but consistency in the total number of hours worked every week;

d. mandatory core-time with individualized start and end times with varied daily hours but consistency in the total number of hours worked every week; or

e. extended meal times offset by additional hours at the beginning and/or end of the day or shift.

Flextime does not reduce the number of hours or total effort worked in a given week by an employee.

24.3 Compressed Work Week

Compressed work week refers to practices such as:

a. a full work week that is condensed into fewer than five days; or

b. two full-time work weeks compressed into nine or nine and one-half days.[1]

Footnote

1. Consistent with the Fair Labor Standards Act, non-exempt staff receive time and a half for work over 40 hours in a week. Hence the flexible work arrangement cannot alter a non-exempt schedule in a manner that causes overtime to occur. Although it is permissible, with the supervisor's approval, for a non-exempt staff to alter when the 40 hours are worked during the work week, staff cannot "bank" overtime hours worked in one work week for use as time off in a future work week.

24.4 Telecommuting

Telecommuting refers to the practice of fulfilling a portion of the employee's work/job responsibilities at an alternative work site at a minimum of eight hours weekly on a regular basis.

24.5 Reduced Hours/Part-Time

Reduced hours/part-time refers to the practice of decreasing the number of regular hours worked to less than a full-time position. Reducing hours worked may affect salary, benefit levels, and accrual rates of vacation, sick, and holiday leave.

24.6 Job Sharing

Job sharing refers to the practice in which two staff members share the responsibility of one full-time position. Job responsibilities/tasks and hours may be split evenly or unevenly between the two individuals. Reducing hours worked may affect salary, benefit levels, and accrual rates of vacation, sick, and holiday leave.

24.7 Protocols for Establishing Flexible Work Arrangements

(Amended 4/13)

a. An employee follows his or her department's or unit's guidelines to request a flexible work arrangement.

b. The arrangement supports the department's or unit's goals, including cost effectiveness, excellent customer service, high productivity, and equitable work distribution among colleagues, which may include cross training.

c. Appropriate performance standards and measures, means of supervision, communication, and systems for accountability must be feasible and practical.

d. Appropriate materials, resources, systems, supervision, etc., must be available during non-traditional hours.

e. The employee's past performance indicates that the arrangement will be successful.

f. Arrangements are in writing and signed by the employee, the employee's supervisor, and other relevant administrators as appropriate.

g. Arrangements are time specific, that is, have a specific date for review and reconsideration. The initial review may follow a short-term pilot period.

h. The denial of a flexible work arrangement request is based upon employee performance and/or the operational needs of the unit, and the rationale is communicated to the employee in writing. Such a denial of a request cannot be grieved.

i. The flexible work arrangement can be tracked in Employee Self Service.

24.8 Protocols for Ongoing Flexible Work Arrangements

(Amended 4/13)

a. Flexible work arrangements are evaluated and modified as appropriate on a regular schedule.

b. Arrangements that are either modified and/or renewed continue to have a specific review date and be appropriately documented. Flexible work arrangements can be tracked in Employee Self Service.

c. Flexible work arrangements can be discontinued by either party with a four-week notice unless an immediate and unanticipated operational need supports the suspension of the flexible work arrangement by the employer.

d. The dissolution of a flexible work arrangement by a supervisor is based upon employee performance and/or the operational needs of the unit, and the rationale is communicated to the employee in writing. Such an action cannot be grieved under University policy.

III. Human Resources

Chapter 25 – Attendance at Council or Committee Meetings by Staff Members

(President, 11/20/73; amended 9/93; 4/13)

25.1 Regular Council or Committee Meetings

Staff who are members of councils or general committees of the University in accordance with I-2.8(6)a are deemed to be in line of duty when attending regular meetings or special meetings called by the chairperson to consider an agenda when such events occur during scheduled work hours.

25.2 Special Council or Committee Meetings

When staff members are invited by the President or designee through the chairperson of a council or committee or otherwise, to attend meetings of the Board of Regents, State of Iowa, other University councils, committees, commissions, task forces, or student government, such attendance is deemed to be in line of duty when such events occur during scheduled work hours.

25.3 Notification of Supervisors

Staff members are requested to notify their supervisors at the earliest possible time of meetings referred to in III-25.1 and III-25.2 in order that departmental schedules may be arranged to accommodate such service to the University with minimal disruption. Departments are encouraged to accommodate such University service whenever possible.

III. Human Resources

Chapter 26 – Educational Opportunities
(President, 1/10/77; amended 9/93; 10/94; 9/97; 11/02; 6/05; 1/07; 8/13; 4/14; 10/15; 7/17)

26.1 General
(Amended 4/14; 10/15; 7/17)

It is a policy of the University to encourage and assist staff members in developing their work skills and to assist them in the achievement of their career aspirations. To that end, staff members are encouraged to participate in educational and developmental programs, conferences, and workshops held on or off campus that relate to the service rendered to the University by the participant. University staff are also encouraged to register for academic courses, with or without credit, that are work-related and advance the organizational efforts of the University. To this end, supervisors are asked to broadly define "work-related" course work to include the attainment of undergraduate degrees through the Tuition Assistance Program and the UI Health Care Tuition Reimbursement Program. Staff members may also participate in programs such as conferences or workshops that do not relate specifically to their work assignments but which will contribute to their overall educational and professional development.

In all cases, a prime requirement for participation in University-sanctioned educational and developmental programs is that the participation will not interfere with the staff member's ability to carry out regular duties. Individual units, at their discretion, may require an individual to obtain departmental approval prior to attending Learning and Development offerings.

Orientation (University welcome and employee benefits) sessions are offered to new hires at The University of Iowa. Invitations to New Faculty and Staff Orientation and UI Health Care Orientation are sent to employees who:

a. Have regular status.

b. Work at least 50 percent time.

For more information on New Faculty and Staff Orientation and UI Health Care Orientation, see https://hr.uiowa.edu/learn/orientation.

26.2 Non-Credit Work-Related Training Programs such as Conferences or Workshops for Staff Other Than Faculty
(Amended 8/99; 8/13; 7/17)

Information about upcoming offerings is also available through Learning and Development's Listserv, at Employee Self Service, or through the Learning and Development website at https://hr.uiowa.edu/learn.

Participation is governed by the following guidelines:

a. Approved offerings are available to staff throughout the University, but enrollment in any given offering is limited by the work needs of the college, department, or unit. If demand for a specific offering is high, consideration will be given to repeating the offering.

b. Offerings may be provided on or off campus, and the University may contract with outside agencies to provide additional workshops as well. The fee to participants or their departments, if any, will be indicated when the offerings are announced.

c. Staff who participate in work-related offerings are considered to be in work status during such participation and are not required to make up time. Approval to attend Learning and Development offerings may be required by individual units at their discretion.

It is strongly recommended that individual colleges, departments, and/or units develop an educational plan for the benefit of their employees' continuous learning and to meet the needs of a changing work environment. These plans may include outcome measures that are tied to the performance of the individual as well as the strategic initiatives of the department or unit.

26.3 Attendance at Non-Credit Conferences and Workshops That Are Not Work Related
(Amended 8/13; 7/17)

University staff may participate in non-credit offerings such as conferences, short courses, or workshops, which are not work related if such participation will contribute to their overall educational and professional development. Such offerings may be provided on or off campus. The following guidelines apply:

a. Participation in the offering does not interfere with the performance of regular duties.

b. If offerings occur during regular work hours, a supervisor's approval may be needed.

26.4 Professional Development Internship Program for Staff
(Amended 8/13)

Staff members interested in learning new skills may self-elect to apply for the Professional Development Internship Program. The program enables participants to gain insight and experience in areas that interest them but which may differ from their work responsibilities. Staff members are encouraged to pursue avenues that will result in their professional growth.

The expectation is that the skills gained in this program will be beneficial to the University and to the employee. Department administrators must also consider the knowledge and skills gained from the experience to be an asset to the department as well as to the employee. All professional and scientific and merit staff members who meet the following qualifications may apply for an internship placement within a cooperating department or unit:

a. Applicant must be a current University of Iowa employee who is employed 50 percent time or greater. Staff paid by grant funds are not eligible to participate in an internship during their regularly scheduled work hours.

b. Applicant must have been employed by the University for two years by the date of application.

c. Applicant must be successful in his or her current University position.

For more information, see https://hr.uiowa.edu/learn/internship. For an application, see http://hr.uiowa.edu/sites/hr.uiowa.edu/files/Intern_application.pdf.

26.5 Courses for Academic Credit
(Amended 8/13)

Human Resources and University of Iowa Staff Council sponsor the Tuition Assistance Program.

Tuition Assistance Program. All eligible faculty and staff may apply for University support for course work that the employing member's department certifies is work related. This course work can be completed at either The University of Iowa or at other accredited universities or colleges. University employees who meet the eligibility requirements and are working on undergraduate degrees will be considered to meet the work-related eligibility requirement. For eligibility requirements and information on how to access the online application form located at Employee Self Service, visit https://hr.uiowa.edu/tuition.

26.6 Tuition and Fees of Staff Registered for No Academic Credit (Audit)

(Amended 1/07; 4/14)

All faculty and staff are eligible to audit (i.e., register for zero semester hours) one University of Iowa course per semester without being assessed tuition and mandatory fees for that course, subject to the following:

a. The applicant is auditing the course to enhance professional development in his or her current position.

b. The applicant must be admitted to the University either in a degree program or as a nondegree student.

c. The applicant must receive permission to audit the course from the instructor.

d. The applicant must receive permission from his or her departmental executive officer. Faculty also must receive permission from the college dean or associate dean.

The application form is available at http://registrar.uiowa.edu/files/registrar.uiowa.edu/files/wysiwyg_uploads/facultystaff_application_to_audit.pdf.

26.7 Courses for Maintaining Professional Licensing Requirements

A staff or faculty member who holds a professional license and must participate in training and/or educational programs to maintain such license may participate in accordance with the requirements of local, state, and/or federal law. A licensee may participate during regular working hours without using paid leave when the employing department requests the employee to participate in the educational or training program for University employment related purposes.

Faculty or staff must use paid leave to attend educational programs for professional licensing requirements when the above conditions are not met. Participation in any educational or training program for licensing purposes must be in accordance with the general requirements of this section.

26.8 Other Awards for Staff

(Amended 8/13; 4/14)

a. Professional Development Award. Staff may be eligible to receive free admission to a fee-required Learning and Development-sponsored offering through the Professional Development Award drawing. Staff members employed in a regular appointment, 50 percent time or greater are sent an email notification twice a year.

b. Mary Jo Small Staff Fellowship Award Program. This is an award that University of Iowa staff may use to help defray costs of regional, national, or international meetings or workshops, training opportunities on and off-campus, and/or work-release time to prepare publications. Specific award guidelines available through Learning and Development's website include:

(1) All professional and scientific and merit staff members who hold a regular appointment of 50 percent or greater and have been employed for two or more years at the University (with no breaks in employment) by the application deadline are eligible for the Mary Jo Small Staff Fellowship.

(2) Selection for the awards will be based upon documentation of recognized contributions that support the University's mission and goals.

See also the Learning and Development website at https://hr.uiowa.edu/learn/mary-jo-small-staff-fellowship-award.

III. Human Resources

Chapter 27 – University of Iowa Tuition Assistance Program

(Amended 6/05; 4/07; 5/07; 8/13; 4/14; 7/17)

27.1 Purpose

To support faculty, professional and scientific staff, and merit staff in their efforts to complete course work that contributes to their efforts as University employees.

27.2 Eligibility

Faculty and staff who are not eligible for tuition assistance through the UI Health Care Tuition Reimbursement Program are appointed in a "regular" appointment for 50 percent or more time, and have one continuous year of service by the application deadline.

27.3 Program

(Amended 8/13; 4/14; 7/17)

Professional and scientific staff, merit staff, and faculty whose performance is satisfactory may apply for University support for course work, either at The University of Iowa or at other accredited universities or colleges, which the employing member's department certifies is work related. Support is based on budgetary capacity of the departmental or University funding source and is limited to tuition for one college credit course (up to four semester hours) per semester awarded at The University of Iowa's liberal arts undergraduate or graduate rate amounts as outlined in each year's tuition rate schedule.

27.4 Funding

(Amended 8/13)

Funding for course work described in III-27.3 above may be provided from either a departmental funding source or a central University fund established to assist departments who are unable to provide full support for the course work described in III-27.3.

27.5 Priority

(5/07; amended 8/13)

Completed applications are awarded on a first-come, first-served basis, following the priority system established by the Board of Regents, State of Iowa.

a. First priority: The University of Iowa;

b. Second priority: Other Regent Institutions;

c. Third priority: Institutions of higher education with a partnership agreement with Regent Institutions;

d. Fourth priority: Any other accredited institution.

27.6 Conditions

(Amended 8/13)

a. Faculty and staff must remain available for regularly scheduled work hours. Any accommodations or modifications related to work hours for class require approval of the employing unit.

b. Faculty and staff must be continuously employed during the duration of the course in order to be eligible for tuition assistance.

c. Tuition assistance must be used during the semester for which it is awarded. If awarded, but the faculty/staff member withdraws from the course, the funds will be reverted to the Tuition Assistance Program and the faculty/staff member is responsible for any fees.

27.7 Process

Permission to participate in the program should be requested of the departmental supervisor. Departments that are unable to provide funding for the program may direct the eligible applicant to Employee Self Service to complete an online application.

For eligibility requirements and more information, see https://hr.uiowa.edu/tuition.

III. Human Resources

Chapter 28 – Conflict Management Resources for University Staff

(Amended 9/93; 3/1/02; 11/04; 9/12; 12/12; 4/13; 2/16; 7/1/17)

28.1 Policy on Conflict Management Resources

(Amended 9/12; 4/13; 6/16; 7/1/17)

In order to maintain and promote a fair and productive work environment for all University staff, the University encourages the active resolution of workplace conflicts. Staff members and supervisors are encouraged to maintain and utilize open communications to promote and maintain a civil and humane workplace. The University also provides a variety of mechanisms to facilitate the management and constructive resolution of conflict situations involving staff when workplace conflicts occur.

The University encourages the resolution of conflict at the earliest opportunity, or the lowest step in whatever dispute resolution process is used. Both formal procedures and informal conflict resolution mechanisms are provided. Staff are encouraged to use informal resolution whenever appropriate. When staff use multiple forums to raise non-grievable issues (as defined by the applicable grievance procedures), the University may, upon consultation with the staff member, designate one to be the primary forum appropriate for final resolution of the situation.

Together, the resources listed are intended to provide fair, thoughtful, and effective means to manage and/or resolve conflict situations, and thereby promote the work of the University. Working independently or collaboratively, these mechanisms constitute the system of conflict management for University staff (note references to University policies):

a. Human Resource Offices — provide information and interventions through Human Resource representatives at the department, college/division, or central administration level. For example, unit Human Resource representatives may provide assistance in a wide range of employment and related issues.

b. Administrative Review — provides a mechanism for the review of employment-related actions or inactions at both departmental and collegiate/division levels, with participation and input from University Human Resource offices. Administrative review may be used for issues not subject to a formal grievance process, including but not limited to disputes over the application of University policy, ethics complaints, salary administration, and/or probationary dismissals. Administrative review may also be used as a less formal alternative for issues covered by one of the grievance processes. (See III-28.3 Merit System Member Grievance Procedure and III-28.4 Grievance Procedures for Professional and Scientific Personnel.)

c. University Ombudsperson — provides an informal, confidential, neutral, and independent dispute resolution resource. The mission of the Ombudsperson is to ensure that all members of the University community receive fair and equitable treatment within the University system. (See VI-2 Office of the University Ombudsperson.)

d. Office of Equal Opportunity and Diversity (EOD) — provides both formal and informal processes to address complaints of discrimination, including, but not limited to, racial discrimination, sexual harassment, discrimination based upon disabilities, consensual relationships, and/or other violations of the University Policy on Human Rights (II-3). EOD also receives complaints under the University Policy on Violence (II-10). (See also Part II. Community Policies.)

e. Employee Assistance Program (EAP) — provides confidential counseling, consultation, and resource and referral information to members of the UI community by licensed mental health providers knowledgeable about UI resources, policies, and practices. (See VI-23.2 Employee Assistance Program.)

f. Classification Appeal — provides a formal appeal process for the denial of an individual reclassification request. (Professional and Scientific staff, see III-3.4; Merit staff, see Iowa Administrative Code, Regents 681, Merit Rule 3.127 (19A).)

g. Grievance Procedures — provide formal grievance processes for the review and resolution of certain employment issues. Following a series of steps, third-party arbitration may be used to resolve the issue. Issues subject to grievance may include violations of University policy or Regent Merit System Rules, and disciplinary action. (Please refer to the relevant grievance procedures: Merit staff: III-28.3; Professional and Scientific staff: III-28.4; staff nurses and allied health professionals should refer to the *UI Health Care Employee Manual* available through The Point or from a local Human Resource Representative.)

Together the resources outlined above constitute the University Conflict Management System for staff. In support of an integrated approach to conflict management, these resources may work collaboratively to resolve conflict situations. The University, however, reserves the right, upon consultation with the staff member, to designate one to be the primary forum appropriate for resolution of non-grievable issues, as defined by the applicable grievance procedures. These resources and procedures are available to all University staff, except where governed by or reserved as exclusive to an overriding University or Board of Regents, State of Iowa, policy. For more information, please refer to the specific policies or offices cited above.

If you are a person with a disability who requires an accommodation in order to utilize these resources, please contact Faculty and Staff Disability Services, 121 University Services Building, in advance.

28.2 Administrative Review

(3/1/02; 12/12)

a. Definition. The Administrative Review provides to all University staff a forum for review of and response to concerns/conflicts related to conditions of employment, except for those reserved for an alternate forum or procedure. Examples of where Administrative Review may be applicable include: reporting ethics policy violations, dismissal during a probationary period, denial of career status, salary administration, or other forms of action or inaction related to University policy application and/or interpretation by a supervisor. Examples of issues reserved for alternate forums or procedures would include sexual harassment and research misconduct.

b. Procedure.

(1) When a staff member identifies a concern or conflict, they initiate administrative review by requesting a face-to-face conference to discuss the issues with either the immediate supervisor or unit Human Resource representative. The staff member must identify the request for a conference as their request to initiate administrative review under this procedure. In order to preserve any rights to a formal grievance process, absent extenuating circumstances, the individual must have initiated the administrative review within 15 calendar days of the discovery of the event giving rise to the conflict, but not later than one year from the occurrence of the event that gave rise to the conflict. At the initial conference, the participants will agree upon a time frame for a response from the immediate supervisor or unit Human Resource representative regarding the identified concern/conflict. The supervisor or unit Human Resource representative will consult with other departmental administrative staff, as appropriate and available, and respond to the employee.

(2) If the conflict is not resolved at the unit level, the staff member may proceed to the college/division level. The individual will need to fill out an Administrative Review (AR) form within 10 days following the response to paragraph (1) above to proceed to the next level. The staff member will complete the top portion of the

Administrative Review form and share with the collegiate/division administrator or Human Resource representative.

(3) Review and discussions at the college/division level will involve the Dean/VP/Director or designee and may include input from University Human Resources to resolve the concern/conflict. If a face-to-face conference is determined by the collegiate area to be helpful in the resolution of the issue due to the nature of the review, this will be scheduled. The participants will agree upon a time frame for a response not to exceed 30 calendar days.

(4) Upon completion of the review the collegiate/division administrator or Human Resource representative will complete the Administrative Review form and send a copy with the decision/rationale and/or resolution to University Human Resources, to Employee and Labor Relations, and to the employee. The collegiate level review/response is considered a final position and end to the administrative review process.

(5) In the event that the employee is a covered staff member within the meaning of the Grievance Procedures for Professional and Scientific Personnel (see III-28.4 below) and the issue is within the scope of those procedures, the individual can request to proceed to Step 3 of the grievance process within 7 calendar days of the response at the collegiate/division level. However, absent extenuating circumstances, the individual must have initiated the administrative review within 15 calendar days of the discovery of the event giving rise to the conflict, but not later than 1 year from the occurrence of the event that gave rise to the conflict.

(6) The UI staff member utilizing the Administrative Review process will be provided a reasonable amount of release time from work duties without a loss of pay to attend meetings under the Administrative Review procedure. Release time must be scheduled with the approval of the appropriate supervisor and shall not interfere with the employee's work responsibilities.

(7) A UI staff person can bring another employee as a witness observer or support person to meetings as scheduled under this procedure. If a staff member, and if such meetings occur during his or her normal duty hours, the witness observer or support person will be provided a reasonable amount of release time from work duties without loss of pay. Release time for this purpose must be scheduled with the approval of the appropriate supervisor and shall not interfere with the employee's work responsibilities. Legal counsel is not appropriate for this process.

(8) The confidentiality of individual specific employment information will be maintained at all times.

Individuals with disabilities are encouraged to participate in all University of Iowa-sponsored programs. If you are a person with a disability who requires an accommodation in order to participate in this process, please contact your department Human Resources representative in advance.

28.3 Merit System Members Grievance Procedures

(Amended 7/1/17)

Note: The University follows the Grievance Procedures established by the Board of Regents as set forth in IAC 681-12.9 (19A), 681-12.10 (19A); 681-12.11 (19A); [681]3.127 (19A); [681]3.128 (19A). The following is a reproduction of those sections.

a. Merit system employee grievances. For purposes of grievance procedure only, "employee" means a merit system employee who has completed the six-month probationary period and is presently employed, or has been dismissed within the previous one-year period.

   Disputes or complaints by permanent employees regarding the interpretation or application of institutional rules governing terms of employment or working conditions (other than general wage levels) or the provisions of the merit system rules, or other than disputes whose resolution is provided for in the *Iowa Administrative Code* [681]3.127(19A) and [681]3.128(8A), will be resolved in accordance with this procedure, which has been approved by the merit system director in accordance with [681]3.129(1). Employees in an initial probationary period will be allowed access to the grievance procedure with the right to appeal orally at Step 1 and in writing at Steps 2 and 3. The University may permit an oral presentation at Steps 2 and 3 if deemed necessary.

b. Grievance procedure.

   (1) An employee who has a grievance and wishes to use the grievance procedure must initiate Step 1 within 21 calendar days from the date of the discovery of the grievance. No grievance may be filed later than one year from the occurrence of the event which gave rise to the grievance.

   (2) An aggrieved employee has the right to be accompanied by no more than two co-workers throughout the grievance procedure. The names of such individuals will be noted on written grievances and each subsequent request for review.

   (3) An aggrieved employee is allowed reasonable time off from regular University duties without loss of pay to investigate and process a grievance. The immediate supervisor of the employee makes suitable arrangements.

   (4) The aggrieved employee may also request released time from work without loss of pay for such co-worker(s) to investigate a grievance at any time following the oral presentation in Step 1 of the grievance procedure, except that the aggrieved employee and co-worker(s) are allowed up to one hour off from regular University duties without loss of pay to confer before any grievance hearing held under these procedures.

   Any request for time off for a grievant's co-worker(s) is made in writing to their supervisor(s), with an informational copy to the Director of Employee and Labor Relations, and should contain an indication of the reason released time is necessary. The supervisor(s) shall provide a reasonable bona fide amount of released time for the investigation, such time being scheduled as soon as reasonably possible and preferably within the same work day, consistent with the normal functioning of the employee's department.

   Furthermore, it is a violation of institutional policy to restrain, interfere, coerce, or discriminate against an employee acting as a grievant's designee in accordance with this procedure. On the other hand, an employee acting as a grievant's designee shall not use time provided for grievance investigation for other matters and will conduct the investigation with dispatch.

   The grievance procedure consists of the following four steps:

   Step 1. An aggrieved employee states in writing that a grievance is being presented and then presents the grievance orally, stating the pertinent circumstances of the complaint or dispute and the actions requested, to the employee's immediate supervisor. The supervisor responds in writing to the grievance within 7 calendar days. In such writing, the supervisor states the supervisor's understanding of the grievance, the response to the grievance, and justification for the response. If a satisfactory settlement is not reached, the employee has 7 calendar days to request Step 2.

   Step 2. If the employee requests Step 2, a written grievance is forwarded by the aggrieved employee to the administrative head of the unit or department within 7

calendar days. The administrative head of the unit or department or designee has 10 calendar days to reply in writing. If a satisfactory settlement is not reached, the employee has 7 calendar days to request Step 3.

Step 3. If the employee decides to request Step 3, the written grievance is forwarded by the aggrieved employee to the head of major functional or administrative unit of the university with a copy sent to the Senior Human Resources Leader for the administrative unit. A meeting shall be held within 10 calendar days after the grievance has been submitted to the head of a major functional or administrative unit. The University may be represented by the Senior Human Resources Leader for the administrative unit or designee, the head of a major functional or administrative unit or designee, and the administrative personnel involved in Steps 1 and 2. The aggrieved employee has the right to be accompanied by no more than two co-workers. The head of the administrative unit or their designee should respond in writing within 7 calendar days to proceed to Step 4.

Step 4. If the employee is not satisfied with the decision rendered under Step 3, a hearing before an arbitrator may be requested within 7 calendar days after receiving the Step 3 decision. Such a request will be in writing and include all of the information included in the initial grievance and subsequent appeals, all of the decision related thereto, and any other pertinent information the employee wishes to submit.

The appeal will be signed and dated by the employee and will be directed to the Merit System Director, Board of Regents, State of Iowa, 11260 Aurora Avenue, Urbandale, Iowa, 50322-7905, who will arrange for a hearing before an arbitrator. The arbitrator will be expected to render a decision within 30 calendar days following the conclusion of the hearing.

A written grievance will contain a brief description of the complaint or dispute and the pertinent circumstances and dates of occurrence. It will specify the university or merit system rule which has allegedly been violated and will state the corrective action desired by the employee.

Presentations, reviews, investigations and hearings held under this procedure may be conducted during working hours, and employees who participate in such meetings will not suffer loss of pay as a result thereof.

If an employee does not appeal a decision rendered at any step of this procedure within the time prescribed by these rules, the decision becomes final. If a University representative does not reply to an employee's grievance or appeal within the prescribed time, the employee may proceed to the next step. With the consent of both parties, any of the time limits prescribed in these rules may be extended.

c. Appeals. The Board of Regents will approve the use of a single arbitrator in hearing an appeal. The selection of the arbitrator shall be made from a panel of arbitrators as referred from the Federal Mediation and Conciliation Service. Fees charged by the selected arbitrator will be shared equally by the employee initiating the appeal and the University.

The arbitrator will hear a dispute appealed to the last step of the grievance procedure and render a decision thereon subject only to review by the courts.

The arbitrator establishes procedures for the conduct of the hearing in a fair and informal manner that affords each party reasonable and ample opportunity for case presentation and to rebut the presentation of the other. The arbitrator will be expected to render a decision to the involved parties and to the Board of Regents within the prescribed time.

(See also IAC [681]12.9(262); [681]12.10(262); [681]12.11(262).)

28.4 Grievance Procedures for Professional and Scientific Personnel

(Regents amended 6/19/91; amended 7/1/99; 3/1/02; 2/16; 7/1/17)

a. Purpose. This procedure has been established to provide a formal process to resolve qualifying disputes without retaliation against the staff member or members. If a staff member prefers to use an alternative dispute resolution mechanism, please refer to III-28.1 Policy on Conflict Management Resources.

b. Definitions. As used in this policy:

(1) "Administrator" means the person or persons designated by the President to perform the functions assigned by this policy to the administrator. (At the present time, the duties of the administrator are assigned to the Chief Human Resources Officer, or his or her designee.)

(2) "Hearing officer" means the person selected as provided in paragraph i of this policy.

(3) "Reviewing officer" means the Associate Vice President and Senior Advisor to the President, except that in cases in which the grievant holds a position in the Office of the President, the reviewing officer will be the Executive Vice President and Provost.

(4) "Covered staff member" means an employee with career status holding an appointment in a professional and scientific classification, excluding staff nurses and allied health professionals whose terms of employment are established in the *UI Health Care Employee Manual* (available through The Point or from a local Human Resource Representative). A listing of covered Professional and Scientific classifications is available on the web at: https://hris.uiowa.edu/CC_Redesign /driver.php?ACTION=HOME.

(5) "Grievance" is defined as an allegation or complaint involving a perceived harm or injury and consistent with the scope of the policy outlined below.

c. Scope of policy. Except as provided in subparagraph c(4) below, this policy establishes procedures which a covered staff member, as defined in paragraph b above, must follow in seeking resolution of a grievance concerning the staff member which:

(1) involves improper discrimination prohibited by the Constitution, statute, or University policy (such as the University Policy on Human Rights); however, issues of discrimination reserved for the jurisdiction of the Iowa Civil Rights Commission may only be processed through Step 3 of this procedure;

(2) involves the wrongful interpretation or application of established University, collegiate, and departmental policies governing terms and condition of employment;

(3) results in disciplinary action, including discipline, demotion, or dismissal; or

(4) for a staff member in term status, results in termination before the end of the staff member's term of appointment, when the action is based on unsatisfactory performance or on University-related misconduct.

(5) Other matters involving covered staff members beyond those specified in paragraphs (1), (2), and (3), or (4) above for term staff, or matters involving staff members

not covered by this procedure (probationary, temporary, and other term-status issues) are not subject to this procedure, but can be addressed through Administrative Review provided in III-28.2. University policies on human rights and on sexual harassment and consensual relationships also provide alternate complaint procedures available to all staff.

(6) Disputes regarding whether an issue qualifies under the scope of this policy as defined above will be subject to administrative review beginning with the Office of the Chief Human Resources Officer, and concluding with the Reviewing Officer as defined in this procedure, as final and binding.

d. Rights of staff members.

(1) No retaliatory action shall be taken against a staff member because he or she utilized these regulations or was a witness in a proceeding.

(2) A covered staff member who utilizes this procedure will be released without loss of pay for a reasonable amount of time, if needed during working hours, to attend the meetings provided under paragraphs f and g of this procedure. In addition, the staff member may be released without loss of pay, not to exceed a total of eight hours, in preparing for the hearing provided under paragraph g of this procedure. Release time for this purpose must be scheduled with the approval of the appropriate supervisor and shall not interfere with the individual employee's work responsibilities. Denial of reasonable time to prepare for a grievance is grievable under paragraph c(2) of this policy.

(3) The staff member may be accompanied at any step of this procedure by a witness observer or support person. If a staff member, this person will be released from duty without loss of pay to attend the meeting during scheduled work hours. Such release time shall be scheduled with their supervisor so as not to interfere with their normal work responsibilities.

(4) The staff member may be accompanied by legal counsel of his or her choosing in lieu of a witness observer or support person in all proceedings provided for in this procedure after Step One.

(5) A letter of discipline issued more than one year before the occurrence giving rise to the grievance is not available for use as evidence against the staff member in the grievance procedure unless that staff member has been subject to further disciplinary action subsequent to receipt of the letter or unless the discipline reflects a repeated pattern of behavior.

(6) As provided by state law, a staff member may have access to his or her personnel file.

e. Time periods.

(1) Calendar days will be used in computing any period of time prescribed or allowed by this policy, and the day of the act or event from which the designated period of time begins to run shall not be included in the computation. For example, the day a grievant receives a response from an administrator will not be counted as part of the time period. The last day of the period so computed shall be included, unless University administrative offices are not open on that day, in which event the period runs until the end of the next day on which University administrative offices are open.

(2) A staff member must initiate a request for administrative review (see III-28.2) or file a grievance under this policy within 15 days of the staff member's discovery of the action or non-action giving rise to the grievance. After that time, any request must reflect extenuating circumstances, but in any event, the grievance must be filed no later than 12 months from the date of the action or non-action of which the staff member complains. Questions of timeliness will be addressed as those relative to the scope of the policy, as outlined in paragraph c(6) of this procedure.

(3) At any time during the grievance process, the parties may agree in writing to mediate the dispute, through a mutually agreeable resource. Such agreement shall suspend the deadlines for processing outlined in paragraph f of this procedure for a period of 30 days, or other mutually agreed-upon period of time, in order to pursue a mediated settlement of the dispute. In the event the mediation is unsuccessful, the formal procedures will resume at the point at which they were suspended for mediation.

(4) If the grievant fails to act within the time period specified in this policy, the grievance shall be deemed to have been satisfied by the administrative response and the grievance may not be raised again.

(5) If the University fails to act within the time periods specified in this policy, the grievance shall be deemed denied and the grievant may pursue the grievance at the next step of these procedures. The time limit governing the grievant's next step shall run from the latest time the omitted action should have been taken.

(6) Time limits may be waived in writing by mutual consent of the parties.

f. Pre-hearing procedures.

(1) Step One. A grievance must begin with a submission of a written request for a conference (electronic or hard copy) sent by the grieving staff member to the person to whom the staff member is immediately responsible. The request will describe the matter about which the grievant seeks a remedy consistent with the scope of the policy (paragraph c). Within 10 days of receipt of the written request, the immediate supervisor will confer with the grievant, and the parties will seek to find a mutually satisfactory remedy to the grievance. If such a remedy is not found, the immediate supervisor will, within seven days thereafter, give a written response to the grievant.

(2) Step Two. If the response at Step One fails to resolve the matter, the grievant, within seven days of the Step One response, may begin Step Two by filing a written grievance (electronic or hard copy) with the executive officer (e.g., head, chair, or director) of the department in which the grievant is employed. Step Two is waived if the person to whom the grievant is immediately responsible is also the executive officer of the department in which the grievant is employed. The written grievance will state with reasonable particularity: Within 10 days of receiving the written grievance, the executive officer of the University department in which the staff member is employed will respond in writing to the grievant, stating with reasonable particularity his or her understanding of the facts. The written response also will state whether or not the requested remedy will be granted.

(a) the events concerning which the grievant feels aggrieved;

(b) the date or dates on which the events complained of occurred;

(c) the remedy requested; and

(d) include a copy of the response from Step One.

(3) Step Three. If the issue is not resolved at step 2 the grievant, within seven days of the receipt of that response, will file a request for review (electronic or hard copy) with the head of the major administrative unit in which the grievant is employed, e.g., with the dean, vice president, or director (or designee), as appropriate. The request for review will be accompanied by a copy of all materials required to be submitted in Step Two plus the written response from Step Two, if any. The head of the

major administrative unit, or designee, will confer with the grievant within seven days of the filing of the request for review. At this time, both the grievant and the University will present all arguments and facts reasonably known at the time relevant to the grievance. Following the conference, the person reviewing the grievance shall have 10 days in which to respond in writing to the grievant.

g. Request for hearing. If the issue is not resolved through the response from the head of the administrative unit, or designee, and the grievant wishes an advisory arbitration hearing, he or she may request one by filing, within 10 days of the receipt of such response, a request for hearing with the administrator (electronic or hard copy). The request will be accompanied by copies of all documents developed while the grievant proceeded from Step One through Step Three. Upon receipt of the request, the administrator will take the necessary steps to convene a hearing.

h. Arbitrator. The administrator and the grievant will select the arbitrator. They may choose an arbitrator from within the University or from outside. If they do not agree on an arbitrator within 10 days of the request for a hearing, the administrator will seek a list of at least five persons who are skilled in the resolution of disputes dealing with professional staff in institutions of higher education from an appropriate dispute resolution service (e.g., American Arbitration Association, or Federal Mediation and Conciliation Service). The parties will then select the arbitrator by alternately striking a single name until one name remains. The parties will decide who strikes first by flipping a coin. The grievant's department will pay the arbitrator's fee.

i. Hearing. The arbitrator will conduct the arbitration hearing to assure that the grievant is accorded a full and fair hearing and all due process to which the grievant is entitled, according to the standards usually followed in arbitrations sanctioned by the American Arbitration Association.

(1) Scheduling the hearing. Within 14 days of the appointment of the hearing officer or as soon as reasonably practicable, the administrator shall notify the parties in writing of the time, date, and place of the hearing.

(2) Issue at hearing. The issue(s) at the hearing will be restricted to the issue(s) presented by the parties at Step Three. No later than one week prior to the hearing, the representatives for the grievant and the University shall meet to review to exchange all evidence relevant to the grievance that is available at that time through the exercise of reasonable diligence, and a list of potential witnesses. If not presented at the pre-hearing exchange, no additional argument or evidence shall be presented at hearing, unless the presenting party can prove that such information was not reasonably known prior to the hearing through the exercise of reasonable diligence.

(3) Record to be kept. Any party wishing a stenographic record shall make arrangements directly with a stenographer and shall notify the other parties of such arrangements in advance of the hearing. The requesting party or parties shall pay the cost of such record. If such stenographic record is agreed by the parties to be, or in appropriate cases determined by the arbitrator to be, the official record of the proceeding, it must be made available to the arbitrator and to the other party for inspection, at a time and place determined by the arbitrator. If no stenographic record is kept, a tape recording shall be made of the hearing, if requested by either of the parties, except that on order of the hearing officer, procedural matters may be discussed off the record. After the hearing has been completed, the tapes and all documents shall be turned over by the hearing officer to the administrator, who shall keep them. The tapes and documents will be available only to both parties and the reviewing officer. After all appeals related to the grievance have been completed, the administrator shall retain the record and documents in the University Human Resources Office for an appropriate period of time, generally not less than five years. The material will continue its status as personnel information in a confidential record and will be available only to the parties.

(4) Burden of proof.

(a) In cases in which a staff member has appealed a disciplinary action under c(3) or termination under c(4), the University shall have the burden of proving by a preponderance of the evidence that it had just cause to take the action. The University will present evidence first.

(b) In all other claims, the grievant shall have the burden of proving that the action or non-action complained of is improper under one or more of the grounds established in paragraphs c(1) or (2) of this policy. The grievant will present evidence first.

(5) Hearing officer's written report. The hearing officer's written report shall be submitted to the reviewing officer as soon as reasonably possible, but not later than 30 days after the presentation of closing arguments. The report shall be confidential unless the parties mutually agree otherwise. The report shall include findings of fact, conclusions drawn from such findings, and the recommended action, if any. The reviewing officer shall distribute the report to the parties.

j. Reviewing officer's review (see also III-31).

(1) Review. The hearing officer's report and recommendations and the record made in the case will be forwarded to the reviewing officer for review. There will be no oral argument before the reviewing officer, but either party may submit a brief in support of the party's position. Such briefs will be submitted to the reviewing officer and the other party within five days of the case being referred to the reviewing officer. The other party shall have five days to submit a response brief. If a response brief is submitted, the party who first submitted a brief will have five days to submit a rebuttal brief.

(2) Decision. After reviewing the report, recommendations, briefs (if any), and the record if deemed necessary, the reviewing officer will determine what administrative action, if any, shall be taken. In making a decision, the reviewing officer will give great weight to the recommendations made by the hearing officer and will not reverse the hearing officer's decision unless 1) the decision was unsupported by substantial evidence in the record made before the administrative hearing officer when that record is viewed as a whole; 2) the decision as a whole was unreasonable, arbitrary, capricious, or characterized by an abuse of discretion or clearly unwarranted exercise of discretion; or 3) the procedures were not properly followed. The reviewing officer's written decision will constitute final institutional action, subject only to a decision by the Board of Regents to grant the staff member's request for review. (See III-31.)

(3) Within 30 days following the reviewing officer's decision, the grievant may contact the reviewing officer if the decision has not been fully implemented or if retaliation has taken place. Subsequent retaliation may be treated as a separate grievance.

III. Human Resources

Chapter 29 – Faculty Dispute Procedures

(Amended 4/21/93; further amended and approved by Regents 5/21-22/97; 1/02; 8/13; 9/16)

29.1 General

(Amended 8/13)

The Faculty Dispute Procedures amended by the Faculty Senate and the President of the University were approved as amended by the Board of Regents on April 21, 1993. The Faculty Dispute Procedures were further amended by a Task Force appointed by the University President and approved by the Iowa State Board of Regents on May 22, 1997. The Faculty Dispute Procedures were further amended on July 10, 2013.

These Faculty Dispute Procedures shall govern the following cases: 1) all cases under III-29.5, III-29.6, and III-29.9 in which the Request for an Investigation is dated after the approval of these Faculty Dispute Procedures; 2) all cases under III-29.7 in which the Notice of Charges is dated after the approval of these Faculty Dispute Procedures; 3) all cases under III-29.8 in which the Formal Notice by the Academic Officer is dated after the approval of these Faculty Dispute Procedures; and 4) any other case that is pending at the time of approval of these Faculty Dispute Procedures, where the faculty member or clinical faculty member in such case elects to complete the case under these Faculty Dispute Procedures.

a. Kinds of Disputes. Sections III-29.1–29.10 describe the institutions, regulations, and procedures for the resolution within the University of certain kinds of problems and disputes involving a member of the faculty or a clinical faculty member. These situations are of the following five kinds:

   (1) Denial of Tenure, Promotion, or Reappointment: in which a tenure-track faculty member may challenge a decision by the University to deny tenure, promotion, or reappointment to the faculty member;

   (2) Grievance: in which a faculty member or a clinical faculty member may challenge the legitimacy of some administrative action or non-action (other than denial of tenure, promotion, or reappointment) that affects the faculty member;

   (3) Ethics: in which the University may charge a faculty member with violation of the University Statement on Professional Ethics and Academic Responsibility (see III-15) and may impose sanctions for violation of certain of the University's policies; and

   (4) Unacceptable Performance of Duty Warranting Termination: in which the University may seek the dismissal of a faculty member during the faculty member's term of appointment under the terms of III-29.8.

   (5) Clinical Faculty Member Termination or Denial of Promotion or Reappointment: in which a clinical faculty member may challenge a decision by the University to terminate or to deny promotion or reappointment to the clinical faculty member.

b. Framework of Relevant Provisions. The involvement of the faculty in the resolution of these kinds of problems and disputes comes through the Faculty Judicial Commission. Accordingly, after the definitions, the composition and procedures of the Commission are described first, followed by the general and specific provisions for dealing with the various kinds of situations. The sections of these procedures are as follows:

   29.2 Definitions

   29.3 The Faculty Judicial Commission

   29.4 General Provisions

   29.5 Denial of Tenure, Promotion, or Reappointment

   29.6 Grievance

   29.7 Ethics

   29.8 Unacceptable Performance of Duty Warranting Termination

   29.9 Clinical Faculty Member Termination or Denial of Promotion or Reappointment

   29.10 Research Ethics Violation

29.2 Definitions

(Amended 8/13)

The following definitions are applicable to III-29–29.10:

a. "Academic officer" means the chief academic officer of The University of Iowa under the President or any person designated to act on behalf of the Academic Officer for the purposes of these regulations.

b. "Clinical faculty member" means a clinical faculty member under III-10.9a of the University's Clinical Track Policy, holding a salaried appointment as described in III-10.9c.

c. "Collegiate dean" means the chief academic officer of the college of the faculty member's principal appointment or any person designated to act on behalf of the collegiate dean for the purposes of these regulations.

d. "Complainant" in a Title IX case means the person who filed the complaint alleging a Title IX violation. Such person may be the alleged victim, a third-party complainant, or the University. If the University is the complainant, it shall be represented by the Academic Officer.

e. "Ethics statement" means the University Statement on Professional Ethics and Academic Responsibility. (See III-15.)

f. "Faculty member" means, unless the context shows differently, the member of the faculty who is challenging the University in a Denial of Tenure, Promotion, or Reappointment case or a Grievance case; or who is being charged by the University in an Ethics case or an Unacceptable Performance case. In general, a faculty member is one who holds an academic appointment with the title of instructor, assistant professor, associate professor, or professor; but anyone else, of whatever title, who is defined as a faculty member by the Faculty Senate with the concurrence of the President of the University is a faculty member for the purpose of these regulations. Except as noted under III-29.9, this definition shall include a clinical faculty member as defined under III-10.9a.

g. "Investigating officer" means a University employee, preferably with faculty experience, whose title shall be "Investigating Officer under the Faculty Dispute Procedures" and whose responsibilities include the investigatory functions and hearing management functions specified in III-29.5; III-29.6; III-29.7; III-29.8; and III-29.9 of these regulations. The Investigating Officer will be nominated by the President and approved by two thirds of the members present at a Faculty Council meeting and a Faculty Senate meeting or by two thirds of members voting in a Special Ballot of the Faculty Senate under its procedures. If at any time these regulations are in effect when the position of Investigating Officer is not filled, the responsibilities of that office shall be performed by a faculty panel.

h. "Party" means either the faculty member or the University in connection with the proceedings under any of the five kinds of disputes covered by these regulations. In a Title IX case, it also means the complainant. It includes the legal counsel or other persons authorized to act and acting on behalf of a party.

i. "President" means the chief executive officer of The University of Iowa. The President shall make whatever decisions these regulations call for the President to make unless the President is absent or incapacitated, in which case a person designated by the President to act on behalf of the President in such circumstances shall make the decisions.

j. "Tenure rights" means those rights and privileges arising from tenure conferred on the grieving faculty member prior to the inception of the dispute underlying the grievance in which those rights are at issue.

k. "These regulations" means the Faculty Dispute Procedures (III-29–29.10).

l. "University representative" means the individual designated by the Academic Officer as the person responsible to receive and to give notices and information on behalf of the University under III-29.5, except where that responsibility is otherwise specified in these regulations; once the Academic Officer has designated the University Representative, that designation may be changed at any time by written notification from the Academic Officer to the Presiding Officer.

29.3 The Faculty Judicial Commission

(Amended 8/13)

a. Composition and appointment of Commission members.

(1) The Faculty Judicial Commission shall consist of at least thirty members: one Presiding Officer and at least twenty-nine regular panelists, four of whom shall be clinical faculty members. The Faculty Senate shall appoint the members of the Commission on an ongoing basis, so that whenever members are selected for service on a panel, additional members are appointed and ready for panel service. The Faculty Senate shall ensure that a sufficient number of the appointed members are available for service in the summer so that any cases arising under these procedures during the summer may proceed without delay. The President of the Faculty Senate shall designate one of the members to be the Presiding Officer of the Commission.

(2) To be eligible for service on the Faculty Judicial Commission as a potential panelist or Presiding Officer, a faculty member must be eligible for election to the Faculty Senate. Faculty members who serve administrative roles in the Office of the President or the Office of the Provost are exempted and prohibited for three years following such administrative service from serving on the Faculty Judicial Commission. Once appointed, all members of the Faculty Judicial Commission shall be trained for service in a Title IX case by the University's Title IX Coordinator or the Coordinator's designee.

(3) The term of appointment shall be for three years. If a panelist or Presiding Officer is unable to finish a term, the Faculty Senate shall appoint a replacement for the remainder of the term. No one who has served six consecutive years as a panelist in any combination of regular, interim, or special appointments may be reappointed as a panelist until a year has elapsed, but the term of any panelist will be extended in order that the panelist may finish a case. No one may serve more than two consecutive terms as Presiding Officer.

(4) A member of the Faculty Judicial Commission may be removed from that office by a majority vote of the Faculty Council following a recommendation by the Presiding Officer. The Presiding Officer may be removed from that office by a majority vote of the Faculty Council following a recommendation from the Faculty Senate President.

b. Functions of Presiding Officer and panelists.

(1) It shall be the responsibility of the Presiding Officer to:

(a) assign panelists to cases arising under these regulations;

(b) receive and forward communications as required by these regulations;

(c) maintain a file of all cases that are brought to the Commission;

(d) make periodic reports of the work of the Commission to the Faculty Council; and

(e) consult with the Investigating Officer and panelists concerning the meaning of the Faculty Dispute Procedures and procedural questions affecting the handling of a case.

(2) A faculty judicial panel serves as a hearing panel, as required, in the following situations:

(a) in a Denial of Tenure, Promotion, or Reappointment case, under III-29.5;

(b) in a Grievance case, under III-29.6;

(c) in an Ethics case, under III-29.7;

(d) in an Unacceptable Performance case, under III-29.8; or

(e) in a clinical faculty member Termination or Denial of Promotion or Reappointment case, under III-29.9.

c. Assignment of panelists to case.

(1) The Presiding Officer shall maintain a current list of the members of the Faculty Judicial Commission. This list shall be a public document and available to the parties in any case under these regulations. When a case arises requiring the assignment of a panel, the Presiding Officer shall not assign:

(a) any panelist whom the Presiding Officer determines has had prior interactions with any party that might make it difficult or appear to make it difficult for the panelist to be impartial;

(b) any panelist against whose service any party shows cause to the satisfaction of the Presiding Officer;

(c) any panelist whose faculty appointment is without tenure if the case concerns denial of tenure;

(d) any panelist whose rank is below the rank to which promotion is at issue in the case;

(e) any panelist who holds an appointment other than tenure-track in a case brought under III-29.5;

(f) any panelist who will not be able to serve continuously until the panel can make its final report;

(g) any panelist who has served on a panel during the preceding twelve months, unless it is determined that no other panelist is available for service on the new panel. In no case shall a panelist currently serving on a panel be appointed to serve on a second panel unless all other eligible members are also currently serving on a panel;

(h) any panelist in a Title IX case who has not been trained for service in a Title IX case by the University's Title IX Coordinator or the Coordinator's designee.

(2) In making assignments to a panel, after removing the names of panelists ineligible to serve by reason of the considerations specified in III-29.3c(1)(d)–(h), the Presiding Officer shall provide each party with a list of panelists eligible for assignment to the case. The Presiding Officer shall then delete from this list the names of any panelists about whom, in the Presiding Officer's judgment, one of the parties has raised a serious question of cause or a possible lack of impartiality under III-29.3c(1)a or

(3) The Presiding Officer shall then assign three panelists from the remaining list by lot or in any other random manner, except that, in making these assignments:

(a) the Presiding Officer shall not assign more than one panelist from any single college in any cases brought under the Denial of Tenure, Promotion or Reappointment procedures or the Clinical Faculty Member Termination or Denial of Promotion or Reappointment procedures;

(b) the Presiding Officer shall assign at least one panelist holding the rank of Professor to any panel in a case involving denial of tenure or promotion under III-29.5; and

(c) the Presiding Officer shall assign at least one panelist holding a clinical faculty member appointment in a case brought under III-29.9.

(4) After the composition of the panel has been determined, the Presiding Officer shall appoint one of the panelists to chair the panel.

29.4 General Provisions

(Amended 8/13)

a. Right to Counsel. In all proceedings governed by the Faculty Dispute Procedures, a faculty member may, at the faculty member's discretion, be represented by legal counsel. The complainant in a Title IX case also may, at the complainant's discretion, be represented by legal counsel.

b. Other Rights of the Faculty Member.

(1) Faculty Member Status. The status of a faculty member involved in a case under these regulations shall not be altered detrimentally until the proceedings are completed except insofar as the President may exercise emergency powers under the Regents' Rules or be required by a court order to do so. The status of a faculty member shall include the faculty member's tenure, rank, salary and benefits, collegiate affiliation, and where applicable, departmental affiliation. With respect to other terms and conditions of a faculty member's employment that are or may be at issue in a grievance under these procedures , the faculty member or the University may seek from the appointed Judicial Panel an expedited determination whether such conditions may be altered before the proceedings are completed. The Judicial Panel shall consider the opposing interests, including the safety and welfare of the University community and any immediate and serious injury, loss or damage to the faculty member. The party seeking such an expedited determination shall do so in a written statement submitted to the Presiding Officer, with a copy to the Academic Officer and the Investigating Officer. The Presiding Officer shall direct the request to the Judicial Panel. The Judicial Panel, in its discretion, may seek further information from the parties and/or assistance from the Investigating Officer. In ruling on the request for an expedited determination the Judicial Panel shall make a prompt decision and shall communicate its decision in writing to the Presiding Officer. The Presiding Officer shall provide a copy of the Judicial Panel's decision to the faculty member, the departmental executive officer, the collegiate dean, the Academic Officer, the University Representative, and the Investigating Officer.

(2) Extension of Employment. If the result of an investigation pursuant to III-29.5 or III-29.9 is to confirm an original decision by the University to terminate the faculty member's appointment (either because the panel has not found in favor of the faculty member or because the President has made a final decision not to accept the recommendations of the panel based on a finding in favor of the faculty member), the faculty member shall be entitled to one full semester's further employment by the University after the faculty member has been officially informed of the outcome of the investigation. A request for review by the Board of Regents, however, shall not affect this extension of time. This provision for further employment shall apply even if it extends the faculty member's appointment beyond the one year of additional employment to which the faculty member is entitled after having been officially informed by the collegiate dean of the original decision by the University to terminate the faculty member's appointment.

(3) Regents' Review. The University Representative, after receiving notice of a panel's or the President's adverse decision, shall promptly inform the alleged victim or third-party complainant in a Title IX case and the faculty member of the right to request a review by the Board of Regents of the decisions that are made and the actions that are taken under these regulations, and the University Representative shall enclose a copy of these regulations with that notice and shall inform the alleged victim or third-party complainant in a Title IX case and the faculty member of the form of requesting the review and the person or office to whom the request must be made. Such a request for review of a case by the Board of Regents must be made within the time period provided under the *Board of Regents Policy Manual*.

c. Communications. Any communications that are required by these regulations may be sent by ordinary U.S. Mail, by email to a confirmed address, or by messenger. A communication to a faculty member as required by these regulations shall be sent to the faculty member's preferred address.

d. Time Periods. In computing a period of time that is prescribed or allowed by these regulations, the day from which the designated period of time begins shall not be included. The last day of the period so computed shall be included unless general University offices are not open on that day in which case the period goes until the end of the next day on which they are open. A communication to or from a faculty member by mail is considered complete upon mailing. "Business days" are those days on which general University offices are open. Time periods designated in these procedures may not be extended in Title IX cases except under rare circumstances. Within the discretion of the appropriate person(s) (Presiding Officer, Investigating Officer, or Faculty Judicial Panel), time periods designated in these procedures may be extended for good cause in non-Title IX cases.

e. Costs. A faculty member who files a case under these regulations must pay the cost of his or her own counsel, the expenses of any witnesses called by the faculty member, and reasonable charges for copies of documents that are made for the faculty member. Except as otherwise noted in these procedures, other costs of the investigation will be borne by the University. The panel also may recommend that some or all of the costs borne by one party, except for the costs of legal counsel, should be reimbursed by the other.

f. Informal Discussions. In any informal discussion that is required or permitted under these regulations, all of the parties are expected to make a genuine effort to resolve the

matter before them. In any such informal discussion, the faculty member may be accompanied by another faculty member of his or her choice, and either party may request the services of the Office of the University Ombudsperson. Anyone who attends an informal discussion shall treat it with confidentiality.

g. Reports by a Faculty Judicial Panel. The findings and recommendations of a panel shall take the form of a written report to be prepared as soon as possible following the relevant proceedings. The report shall be written in a manner that preserves the confidentiality of documents or testimony concerning confidential matters taken in closed hearing (see III-29.5e(1); III-29.7g(2); III-29.8f(2); and III-29.9e(1)) to the maximum extent possible consistent with a clear and full explanation of the panel's findings and recommendations. The Presiding Officer may release the report to the public only if the faculty member or the President has already made public the essentials of the report or the report follows an open hearing on the case and then only if appropriate precautions can be taken to protect any parts of the report that must remain confidential, such as references to records protected from disclosure under the Iowa open records law or references to records or testimony that is the subject of a confidentiality agreement. Otherwise, the report shall be treated with confidentiality by everyone who receives or obtains a copy of it except by the complainant in a Title IX case and by the faculty member as either of them may choose.

h. Reports by the Academic Officer. On or before June 1 and December 1 of each year, the Academic Officer shall report to the Presiding Officer the results of the steps taken during the preceding six months to implement whatever final decisions were made under these regulations or, if an implementation is not complete, the current status of the matter.

i. Amendments of These Regulations. Proposals to amend these regulations may be initiated by the Faculty Senate, by the President, or by the Board of Regents. The Board agrees that it shall make no changes in these regulations without first consulting the Faculty Senate, the Faculty Council, and the President.

29.5 Denial of Tenure, Promotion, or Reappointment

(Amended 2/01; 9/16)

a. Introduction.

(1) Scope. The procedures described in this section constitute the exclusive remedy within the University for a faculty member, other than a clinical faculty member, who wishes to challenge a decision by the University to deny tenure, promotion, or reappointment to the faculty member. A challenge to the University's termination or denial of promotion or reappointment of a clinical faculty member may not be brought under this section III-29.5, but may be brought under III-29.9. The University's policies regarding tenure are set forth in III-10 and the sections following it. The University's policies regarding job security for clinical faculty members are set forth in III-10.9. (Nothing in these regulations restricts the right of the University to make non-tenured appointments for fixed terms with no implication of probationary status. Such appointments, if made, may be called "visiting appointments," or they may be given any other appropriate title.)

(2) Grounds for a Challenge to a Decision to Deny Tenure, Promotion, or Reappointment. A challenge by a faculty member to a decision by the University to deny tenure, promotion, or reappointment to the faculty member may be made only on one or more of the grounds which are identified and defined as follows:

(a) Violation of a University Obligation: that the decision was made in violation of a written promise of tenure, promotion, or reappointment to the faculty member by an authorized administrator of the University;

(b) Clearly Adequate Record of Achievement: that the decision is unjustified in view of the faculty member's clearly adequate record of achievement under governing standards of the department or other academic unit in question;

(c) Improper Reason: That the decision was based in part or in whole on the faculty member's race, creed, color, religion, national origin, age, sex, pregnancy, disability, genetic information, status as a U.S. veteran, service in the U.S. military, sexual orientation, gender identity, associational preferences, or any other classification that deprives a person of consideration as an individual; or that the decision was based in part or in whole on a reason that violates the faculty member's academic freedom;

(d) Improper Procedure: that the decision was made without reasonable consultation with the faculty colleagues of the faculty member as required by the University, college, or department, or in a way that violates some other established University, college, or department procedures; or

(e) Unfair Impediment: that the decision was the result of a failure of the faculty member to meet the requirements for tenure, promotion, or reappointment due to an unfair impediment for which the University or one of its officers is responsible.

(3) Stages in These Procedures. The stages in the procedures in a faculty member's challenge to a decision by the University to deny tenure, promotion, or reappointment to the faculty member are:

(a) Informal Discussions

(b) Request for a Written Statement of Reasons

(c) Investigation, Hearing, and Faculty Judicial Panel Recommendation

(d) President's Decision

b. Informal Discussions. A faculty member who wishes to challenge a decision by the University to deny tenure, promotion, or reappointment to the faculty member may begin the challenge by attempting to settle the matter informally through discussions with the departmental executive officer, the collegiate dean, and the Academic Officer. In any such informal discussion, the faculty member may be accompanied by legal counsel and/or another faculty member of his or her choice. As a part of the informal discussion stage, either party may request the services of the Office of the University Ombudsperson (see also VI-2).

c. Request for a Written Statement of Reasons. Upon learning of the decision of the University to deny tenure, promotion, or reappointment to the faculty member, the collegiate dean shall promptly, in writing, officially inform the faculty member of the decision and of the faculty member's right to challenge that decision under these regulations and shall include a copy of these regulations as part of that official information.

A faculty member who wishes to pursue a challenge to a decision by the University to deny tenure, promotion, or reappointment to the faculty member beyond the stage of informal discussions, whether or not such informal discussions have taken place or are continuing, must, within thirty business days of having been informed officially of the decision by the collegiate dean, request of the Academic Officer a written statement of the reasons for the decision. The Academic Officer shall inform the faculty member in writing and in reasonable detail of the reason or reasons for the decision by the University, and this written statement of reasons shall be provided, ordinarily, within twenty business days of receiving the faculty member's request.

d. The Nature of the Investigation.

(1) Request for an Investigation. If the written statement of reasons does not settle the matter to the faculty member's satisfaction and the faculty member wishes to pursue the challenge, the faculty member may request an investigation. This request must be made within twenty business days after the faculty member receives the written statement of reasons. The request shall be directed to the Presiding Officer of the Faculty Judicial Commission, who shall forward copies of the request to the faculty member's departmental executive officer, the collegiate dean, and the Academic Officer. The faculty member must attach to the request a copy of the collegiate dean's official notice, a copy of the faculty member's request for a statement of reasons, and a copy of the Academic Officer's statement of reasons. The faculty member also must specify the ground or grounds for the challenge with as much specificity as possible on the basis of evidence or information available to the faculty member when the request is submitted.

(2) Appointment of the Panel. After the Presiding Officer receives the Request for an Investigation, the Presiding Officer shall appoint a faculty judicial panel to review and decide the case. The Presiding Officer also shall promptly notify the Investigating Officer to begin the investigation into the merits of the case.

(3) Stay of Proceedings. The Presiding Officer shall have the power to suspend the deadlines specified under this Section or to stay any proceeding under this Section when requested to do so in writing by either or both parties or the Ombudsperson and when, in the judgment of the Presiding Officer, the resulting delay would significantly advance the possibility of achieving an agreed-upon settlement by the parties.

(4) Submission of Preliminary Statements. The Investigating Officer shall begin the investigation by requesting each party to provide, within ten business days of the request, a Preliminary Statement which shall include the following:

(a) a statement of the issues of fact or judgment, segregated according to the applicable Ground for Challenge, that identify any point or points of disagreement between the University and the faculty member;

(b) a list of the relevant non-testimonial evidence which each party seeks from the opposing party or from others not party to the dispute;

(c) copies of any relevant non-testimonial evidence in the party's possession, custody, or control; and

(d) the identity and location of witnesses each party plans to call.

(5) Obtaining the Evidence.

(a) Based on the information received under paragraph (4) above, the Investigating Officer shall obtain the relevant non-testimonial evidence requested by the parties in their Preliminary Statements. The Investigating Officer is empowered to request and to receive the cooperation of the Academic Officer, the collegiate dean, the departmental executive officer, the grieving faculty member, other faculty members, and other University employees and to request and to receive from such persons all non-testimonial evidence of possible relevance to the case, including personnel records concerning teaching, scholarship, or professional service of other faculty members. Faculty members, staff, students, and officials of the University have a duty to deliver promptly any such documents, including personnel files that are requested by the Investigating Officer and otherwise to cooperate with the investigation.

(b) If the parties dispute the relevance of any document or part of a document, then the Investigating Officer shall discuss with the parties the possible resolution of the dispute and try to reach an agreement. If no agreement can be reached, then the document or part thereof in question shall be provided to the panel pursuant to the procedures under paragraph (11) below, together with each party's brief statement regarding its relevance.

(6) Distribution of Materials to the Parties. The Investigating Officer shall provide each party with a copy of the opposing party's Preliminary Statement submitted under paragraph (4) above. The Investigating Officer also shall provide the parties with a copy of all the relevant non-testimonial evidence that the Investigating Officer has obtained under paragraph (5) above.

(7) Confidentiality. During the investigation, all non-testimonial evidence obtained for a case shall be presumed to be confidential with respect to all persons who do not need to have access to the evidence in performing their duties or exercising their rights under these regulations. Prior to the beginning of a hearing or the termination of the panel's responsibilities, whichever occurs first, each party shall be afforded an opportunity to designate evidence or portions of evidence that should continue to be regarded as confidential, and this evidence shall be so marked. Neither party may disseminate or allow to be disseminated any evidence presumed or marked as confidential under this paragraph while a case is pending or after the case has been completed. Documents that were written with an explicit or implied expectation that they were confidential or would not be revealed to the faculty member shall be made available to the parties only after the name of the author or authors of the document is excised and only, to the maximum extent possible consistent with providing the substance of the contents of the document to the parties, after identifying aspects or portions of the documents have been excised.

(8) Final Statements and Rebuttal.

(a) The parties shall submit to the Investigating Officer and to the opposing party and counsel their respective Final Statements in writing according to the schedule set forth below. In their Final Statements, the parties shall set forth their respective positions on the opposing party's Preliminary Statement and on the evidence provided by the Investigating Officer.

(b) The faculty member shall submit his or her Final Statement first, within fifteen business days following his or her receipt of the non-testimonial evidence. Within fifteen business days following the University's receipt of the faculty member's Final Statement, the University shall submit its Final Statement, which may respond to the arguments raised in the faculty member's Final Statement.

(c) The faculty member may submit a written Rebuttal to the University's Final Statement, provided that the faculty member does so within ten business days following the faculty member's receipt of the University's Final Statement. If submitted, the Rebuttal shall be limited to the arguments raised in the University's Final Statement.

(d) The parties may not submit any additional pre-existing evidence with their Final Statements or Rebuttal, although they may attach exhibits such as charts, tables, graphs or summaries created for purposes of these proceedings. No witness statements or affidavits may be submitted with these Final Statements or Rebuttal.

(9) Assistance to the Parties. Throughout the investigation, the Investigating Officer may meet with the parties together or separately and may assist them in complying with the requirements of paragraph (5) above, as seems appropriate to the Investigating Officer. The Investigating Officer may extend deadlines for submissions by the parties (under paragraphs (4) and (8) above) when doing so, in the Investigating Officer's judgment, will expedite the case and/or improve the quality of the material presented to the panel.

(10) Report to the Panel. The Investigating Officer shall report to the panel in writing, with copies to the parties and counsel, any failure, delay or other obstruction by a party in any part of these procedures and shall indicate to the panel whether the failure, delay or obstruction appears to be justifiable. Taking into account the

Investigating Officer's report concerning the failure, delay or obstruction, the panel may draw negative inferences and take appropriate action on the basis of a failure of a party to provide relevant documents or other materials or information. Excessive delays or other obstruction to providing documents or other materials or information may be treated by the panel as a failure to provide the document. The parties shall not submit any response to the report to the Panel.

(11) Distribution of Materials to the Panel. The Investigating Officer shall provide each member of the Judicial Panel with:

(a) a copy of the Preliminary Statements submitted under paragraph (4) above;

(b) a copy of the Final Statements and Rebuttal, if any, submitted under paragraph (8) above;

(c) a copy of any item of the relevant non-testimonial evidence the Investigating Officer has obtained under paragraph (5) above which either party has referenced in its Final Statement or Rebuttal submitted under paragraph (8) above; and

(d) access to a complete copy of all the relevant non-testimonial evidence the Investigating Officer has obtained under paragraph (5) above.

(12) Conference Regarding a Hearing. After Final Statements and the Rebuttal, if any, have been submitted, the parties and their attorneys shall meet with the Investigating Officer to discuss:

(a) the desirability of a hearing before the judicial panel at which oral testimony will be taken from witnesses on one or more of the grounds, and the factual issues to be addressed by such testimony; and

(b) the desirability of oral argument by counsel or the parties to the judicial panel regarding the issues presented under one or more of the grounds and the time constraints reasonably to be imposed on such argument.

The judicial panel shall hold a hearing and/or entertain oral argument if the panel or either party desires it. The Investigating Officer, shall impose any limitations on the time for argument to the panel. The Investigating Officer shall advise the parties of the Judicial Panel's limitations on the factual issues to be considered in the hearing.

(13) Communication between the Panel and the Parties. A copy of all communication regarding the matter in dispute by the Judicial Panel or any of its members to either party shall be given to the opposing party, all counsel and the Investigating Officer. All communication regarding the matter in dispute by either party or counsel, to the Judicial Panel or to any of its members, shall be directed through the Investigating Officer, except at any hearing held in the case. This rule shall apply even if such communication is responsive to a prior communication from the Judicial Panel or any of its members.

e. The Nature of the Hearing.

(1) Open Hearing. The hearing shall be open unless:

(a) both parties request that it be closed, in which case it shall be closed; or

(b) it is necessary to close the hearing temporarily to preserve the confidentiality of documents or other matters or to protect witnesses who fear reprisals.

The decision to close the hearing for any of the reasons specified in this paragraph shall be made by the Investigating Officer in consultation with the panel. A closed hearing shall be closed to all except the panel, the parties and their counsel, the Investigating Officer, the testifying witness and the recorder of the proceedings.

(2) Recording. The hearing shall be recorded by videotape. The Investigating Officer shall ensure that the recording process maintains the confidentiality of the evidence, and that the resulting videotape is maintained in a secure manner, protecting its confidentiality. The record of the hearing may, at the discretion of the panel, exclude the discussion of procedural matters. Either party or the panel may request that the proceedings also be recorded by a stenographic reporter. The party requesting such additional recording shall bear its cost; if the panel requests it, then the Investigating Officer shall bear its cost. If either party requests a transcript, that party shall bear its cost. If the panel requests a transcript, the office of the Investigating Officer shall bear its cost.

(3) Confidentiality. In any hearing or portion of hearing that is closed, all testimony shall be presumed to be confidential with respect to all persons who do not need to have access to that information in performing their duties.

(4) Sequestration of Witnesses. At the request of either party, witnesses shall be sequestered from the hearing prior to their testimony, unless the panel, in the interests of justice, objects to such sequestration.

(5) Rights of the Parties. Subject to the Investigating Officer's power to control the hearing, described in paragraph (6) below, the faculty member may be accompanied by another faculty member of his or her choice, subject to paragraph (4) above, regarding sequestration of witnesses. In addition, each party shall have the following rights:

(a) to decide which witnesses to call to testify on behalf of that party;

(b) to present evidence through the testimony of a party's own witnesses;

(c) to present any other relevant evidence;

(d) to cross-examine any witness called by the other party;

(e) to make an opening statement before and a closing statement after the presentation of evidence;

(f) o submit a written argument at the conclusion of the presentation of evidence; and

(g) to be consulted and to present oral and/or written argument for the purpose of influencing any decision made by the Investigating Officer in the exercise of the Investigating Officer's power to control the hearing.

(6) Investigating Officer. The Investigating Officer shall have the power to control the hearing, in consultation with the panel, including but not limited to the power:

(a) to ask questions of any witness;

(b) to limit the presentation of evidence on grounds of irrelevancy or redundancy when necessary to avoid an excessively long hearing, but the investigating officer shall not exclude evidence on the basis of formal rules of evidence that would govern a judicial proceeding;

(c) to limit the length of opening and closing statements;

(d) to limit the length of any written arguments submitted;

(e) to limit the time after the conclusion of the presentation of evidence for submission of written arguments to the panel;

(f) to set the date, time, and place for conducting the hearing, including the beginning, ending, adjournments, and any reopenings, in the interest of achieving an expeditious proceeding and accommodating the convenience of the parties; and

(g) to take such action as seems appropriate to preserve the confidentiality of marked documents or other confidential matters to the maximum extent possible consistent with a full opportunity of each party to present and hear relevant evidence.

(7) The Panel. The panel shall have the power to ask questions of any witness.

f. Burdens of Proof and Standards of Judgment. The Judicial Panel shall make findings of fact and shall draw conclusions based on those findings, consistent with the burdens of proof and standards of judgment applicable to each Ground for Challenge, as set forth below.

(1) Violation of a University Obligation.

(a) In order to gain a favorable recommendation from the panel on this ground, the faculty member must show, by clear and convincing evidence, that, on the basis of a written promise to the faculty member by departmental executive officer, collegiate dean, or other authorized administrator of the University, the faculty member was justified in believing that tenure, promotion, or reappointment would be granted on the basis of the faculty member's acknowledged accomplishments and that the faculty member relied detrimentally on the promise. In order to rely on a written promise the faculty member must either present in evidence the written document or documents upon which the claim of a violation of a University obligation is based or else justify the failure to do so. If the faculty member shows only, or the panel otherwise finds, that the promise was conditional on adequate performance or some other requirement whose satisfaction is independently at issue, the panel shall not find in favor of the faculty member on this ground.

(b) If the panel finds in favor of the faculty member on this ground, it shall recommend that the faculty member be granted tenure, promotion, or reappointment as appropriate.

(2) Clearly Adequate Record of Achievement.

(a) In order to gain a favorable recommendation from the panel on this ground, the faculty member must show, by clear and convincing evidence, that the faculty member's record of achievement justifies tenure, promotion, or reappointment as the case may be. Thus, the panel shall sustain the challenged decision unless the panel is of a firm and definite conviction based on the faculty member's record that denying the faculty member such tenure, promotion, or reappointment was unjustified.

(b) The panel shall judge the merits of a claim of a Clearly Adequate Record of Achievement in the case of a tenure, promotion, or reappointment decision in accordance with the provisions of III-10.5b. In the absence of written standards, the panel shall deem the standards to be those that prevailed in comparable decisions concerning other faculty members. The panel may also consider comparable decisions concerning other faculty members in interpreting and applying written standards.

(c) The panel shall give great weight to the assessment of any person or persons knowledgeable in the faculty's member's teaching area, field of research or comparable activity, or area of professional service, to the extent such person's knowledge is relevant to evaluating the judgments underlying the decision being reviewed.

(d) In arriving at its finding on this ground, the panel shall consider the faculty member's record as a whole, but no reasons other than those cited in the University's Written Statement of Reasons to the faculty member shall be considered in dispute, all other matters being presumed to have been resolved conclusively in favor of the faculty member.

(e) If the panel finds in favor of the faculty member on this ground, it shall recommend that the faculty member be granted tenure, promotion, or reappointment as appropriate.

(3) Improper Reason.

(a) In order to gain a favorable recommendation from the panel on this ground, the faculty member must show, by a preponderance of the evidence, that the decision to deny tenure, promotion, or reappointment as the case may be to the faculty member was substantially affected by an improper reason as defined in III-29.5a(2)(c).

(b) If the panel finds in favor of the faculty member on this ground, it shall recommend that a reconsideration of the original decision to deny the faculty member tenure, promotion, or reappointment be undertaken, starting at the lowest level at which an evaluation or recommendation or written report could have been affected by consideration of an improper reason; that the reconsideration be based upon the faculty member's record as updated to the time of the reconsideration; and that an extension of the faculty member's probationary appointment be granted as necessary to make such reconsideration possible.

(4) Improper Procedure.

(a) In order to gain a favorable recommendation from the panel on this ground, the faculty member initially must show, by a preponderance of the evidence, that in the actions leading to the decision by the University (to deny tenure, promotion, or reappointment as the case may be to the faculty member), there occurred a failure to engage in reasonable faculty consultation or a significant violation of an established University procedure. The panel must find in favor of a faculty member who meets this initial burden, unless the University shows, by a preponderance of the evidence, that the failure to engage in reasonable faculty consultation or the significant procedural violation could not have affected the decision.

(b) If the panel finds in favor of the faculty member on this ground, it shall recommend that a reconsideration of the original decision to deny the faculty member tenure, promotion, or reappointment be undertaken, starting at the lowest level at which an evaluation or recommendation or written report could have been affected by the use of improper procedures; that the reconsideration be based upon the faculty member's record as updated to the time of the reconsideration; and that an extension of the faculty member's probationary appointment be granted as necessary to make possible such reconsideration. Such an extension of time, however, shall not subject the faculty member on reconsideration to heightened standards regarding quantity of scholarship.

(5) Unfair Impediment.

(a) In order to gain a favorable recommendation from the panel on this ground, the faculty member must show, by a preponderance of the evidence, that an

unfair impediment, for which the University or one of its officers was responsible, substantially affected the faculty member's failure to meet established standards.

(b) If the panel finds in favor of the faculty member on this ground, it shall recommend that a new consideration whether to grant the faculty member tenure, promotion, or reappointment be undertaken, starting at the beginning of the evaluation process on the basis of the record then achieved by the faculty member; and that an extension of the faculty member's probationary appointment be granted as necessary to remove the effect of the impediment and to make possible such reconsideration.

g. Report of the Panel.

(1) The panel shall make its recommendations in a written report which shall be prepared and sent to the Presiding Officer as soon as possible after the conclusion of the investigation and hearing. If the panel has found in favor of the faculty member on any ground, it may make, in addition to its major recommendation concerning the faculty member's tenure, promotion, or reappointment, recommendations for other actions, except for the payment of counsel fees, that it judges to be required by the equities of the case.

(2) The report shall contain findings of fact and conclusions drawn from those findings as well as the panel's recommendation, if any. The report shall include findings of fact and conclusions drawn from those findings that resolve each and every ground raised by the faculty member, even if the conclusion reached on one ground is sufficient to support the Panel's recommendation. The report shall specifically include the following:

(a) an express statement of each ground raised by the faculty member, including the identity and definition of each ground specified in III-29.5a(2);

(b) an express statement of the burden of proof governing each ground raised by the faculty member as specified in III-29.5f;

(c) an opinion explaining the reasons for the panel's conclusions and recommendations, if any, based on the findings of fact and the burden of proof and standard of judgment applicable to each ground raised by the faculty member;

(d) in a case based in whole or part on the Clearly Adequate Record of Achievement ground, a description of any assessment by knowledgeable persons contained in the record and an explanation of the weight given to any such assessment by the panel.

(3) The report shall be written in a manner that satisfies the requirement of protecting confidentiality to the maximum extent possible as provided in III-29.4 and III-29.5d(5). In preparing its report, the panel in its discretion may seek the assistance of the Investigating Officer.

(4) If the panel has not found in favor of the faculty member on any ground, the Presiding Officer shall send copies of the report only to the faculty member, the departmental executive officer, the collegiate dean, the Academic Officer, the University Representative, and the Investigating Officer. The case is then closed, subject only to a decision by the Board of Regents to grant the faculty member a request for review.

(5) If the panel has found in favor of the faculty member on any ground, the Presiding Officer shall send copies of the report to the persons named in paragraph (4) above, and shall also send a copy of the report to the President.

h. The President's Decision. If the panel has found in favor of the faculty member on any ground, the President of the University shall decide whether or not the University will accept the recommendations of the panel. The President may seek advice of counsel concerning the decision, but the Office of General Counsel shall not provide that advice if it had previously advised the University Representative concerning the matter.

(1) Basis for President's Decision. The President's decision shall be based on all documents, testimony, and other matters presented to the panel. The President shall not hold a hearing, but may meet with the panel. Furthermore, either party may submit a brief to the President within ten business days of receiving notice that the Presiding Officer has transmitted the panel's report to the President. In making the decision, the President shall give great weight to the findings and recommendations of the panel. Like the panel, the President shall be bound by the burdens of proof and standards of judgment stated in paragraph f above. It shall not be considered an acceptance by the President of the panel's recommendations for the President to order a reconsideration of the original decision to deny the faculty member tenure, promotion, or reappointment as the case may be unless the panel has specifically recommended that action.

(2) President Accepts All Recommendations in Favor of Faculty Member. If the President accepts all of the panel's findings and recommendations in favor of the faculty member, the President shall direct that the panel's recommendations be implemented. The President shall so inform the Presiding Officer in writing, and shall send a copy thereof to the panel members. The Presiding Officer shall send copies of the President's final decision to the faculty member, the departmental executive officer, the collegiate dean, the Academic Officer, the University Representative, each of the members of the panel, and the Investigating Officer. The case will then be closed.

(3) President Does Not Accept the Panel's Recommendation. If the President does not accept one or more of the recommendations of the panel, the President shall inform the panel members in writing of the reasons for not accepting the panel's recommendation and shall send a copy thereof to the faculty member, the University Representative, the Presiding Officer and the Investigating Officer. Within five days of receiving the President's decision, either party may submit a brief to the Investigating Officer for the panel's consideration. The Investigating Officer shall send copies of any brief so submitted to the opposing party, each member of the judicial panel and the Presiding Officer. The panel then shall reconsider its recommendations and shall report the result of its reconsideration to the President in a supplementary written report. The panel shall send copies of its report to the parties, the Presiding Officer and the Investigating Officer. The panel shall respond within ten business days of the date on which the panel's chair receives the President's letter or the parties' briefs, whichever is later. Within five days of receiving the panel's report, either party may submit a brief to the President, with copies to the opposing party, the Presiding Officer and the Investigating Officer. The President then shall make a final decision on the matter. In making this final decision, the President shall give great weight to the views of the panel.

(a) After Panel Reconsideration, President Decides Against Faculty Member. If, after panel reconsideration, the President decides against the faculty member on all grounds, the President shall inform the panel members in writing of the final decision and of any additional reasons supporting the decision and shall send a copy thereof to the Presiding Officer. The Presiding Officer shall send copies of the President's final decision and reasons to the faculty member, the departmental executive officer, the collegiate dean, the Academic Officer, the University Representative, each of the members of the panel, and the Investigating Officer. The case will then be closed, subject only to a decision by the Board of Regents to grant the faculty member a request for review.

(b) After Panel Reconsideration, President Accepts At Least One, But Not All, Recommendations in Favor of Faculty Member. If, after panel reconsideration, the President accepts at least one, but not all, of the panel's recommendations in favor of the faculty member, the President shall direct that those recommendations that the President accepts be implemented. The President shall inform the panel members in writing of those recommendations that the President accepts, and of those that the President does not accept, and of any additional reasons supporting the decision. The President shall send a copy of the decision to the Presiding Officer. The Presiding Officer shall send copies of the President's final decision to the faculty member, the departmental executive officer, the collegiate dean, the Academic Officer, the University Representative, and the Investigating Officer. The case will then be closed, subject only to a decision by the Board of Regents to grant the faculty member a request for review with regard to those recommendations not accepted by the President.

29.6 Grievance

(Amended 9/16)

a. Introduction.

(1) Scope. The procedures described in this section constitute the exclusive remedy within the University for a faculty member who wishes to challenge the legitimacy of some University administrative action or non-action that affects the faculty member, except for a complaint about:

(a) a decision to deny the faculty member tenure, promotion, or reappointment (which falls under III-29.5), or a decision to terminate a clinical faculty member, or to deny promotion or reappointment to a clinical faculty member (which falls under III-29.9);

(b) any action insofar as it was taken under the Regents Rules;

(c) any action or non-action insofar as it is subject to the Iowa Tort Claims Act; or

(d) any action or non-action on any ground other than one or more of the grounds stated in paragraph (2) below.

(2) Grounds for a Challenge to the Legitimacy of Some Administrative Action or Non-Action. A challenge by a faculty member to the legitimacy of some University administrative action or non-action that affects the faculty member may be made through these procedures only on one or more of the following grounds:

(a) Violation of a University Obligation: that the action or non-action is in violation of a written promise to the faculty member by an authorized administrator of the University,

(b) Unfair Impediment: that the action or non-action significantly impairs the ability of the faculty member to do what is expected of a faculty member, and that the action or non-action is not related to a reasonable institutional need or to the faculty member's performance as a faculty member,

(c) Improper Reason: that the action or non-action is based in part or in whole on the faculty member's race, creed, color, religion, national origin, age, sex, pregnancy, disability, genetic information, status as a U.S. veteran, service in the U.S. military, sexual orientation, gender identity, associational preferences, or any other classification that deprives a person of consideration as an individual.

(d) Violation of Academic Freedom or Tenure Rights: that the action or non-action is in violation of the faculty member's academic freedom or tenure rights.

(3) Stages in these Procedures. The stages in the procedures in a faculty member's challenge to the legitimacy of some administrative action or non-action that affects the faculty member are:

(a) Informal Discussions

(b) Exchange of Letters and Further Discussion

(c) Investigation, Hearing, and Faculty Judicial Panel Recommendation

(d) President's Decision

b. Informal Discussions. A faculty member who wishes to challenge the legitimacy of some administrative action or non-action is expected to make every reasonable effort to settle the matter through informal discussions with the departmental executive officer, the collegiate dean, the Academic Officer, or anyone else connected with the matter. In any such informal discussion, the faculty member may be accompanied by legal counsel and/or another faculty member of his or her choice. As a part of the informal discussion stage, either party may request the services of the Office of the University Ombudsperson (see also VI-2).

c. Exchange of Letters and Further Discussion. If the matter is not settled to the faculty member's satisfaction by informal discussions, the faculty member may proceed only by submitting to the administrator who is chiefly responsible for the action or non-action about which the faculty member is complaining a written request for a written statement of the reasons for the action or non-action. In the request, the faculty member must state in some detail the nature of the complaint and the remedy that is sought. Within twenty business days of receiving this request, the administrator shall inform the faculty member in writing and in reasonable detail of the reason or reasons for the action or non-action. If this exchange of letters does not settle the matter to the faculty member's satisfaction, a meeting between the faculty member and the administrator shall take place in a further attempt to settle the matter. At this meeting, the faculty member may be accompanied by another faculty member of his or her choice.

d. The Nature of the Investigation.

(1) Request for an Investigation. If the exchange of letters and further discussion do not settle the matter to the faculty member's satisfaction and the faculty member wishes to pursue the challenge, the faculty member may request an investigation by a faculty judicial panel. The request shall be directed to the Presiding Officer of the Faculty Judicial Commission, who shall forward copies of the request to the faculty member's departmental executive officer, the collegiate dean, the Academic Officer, and the administrator with whom the exchange of letters took place. In the request, the faculty member must specify the ground or grounds for the challenge with as much specificity as possible on the basis of evidence or information available to the faculty member when the request is submitted and describe the remedy that is sought. The request for an investigation must be sent within twelve months of the faculty member's receipt of the administrator's reasons for action or non-action.

(2) Claim Within Scope of Procedures. Upon receiving the request for an investigation, the Presiding Officer shall review it to confirm that it falls within the scope of this section. Notwithstanding the preceding sentence, the judicial panel shall have sole authority to determine whether the faculty member's request for investigation states a frivolous claim or falls outside the Grounds for Challenge, as provided in paragraph (3) below.

(a) If the Presiding Officer determines that the request does fall within the scope of this Section, then the Presiding Officer shall appoint a faculty judicial panel to review and decide the case.

(b) If the request does not fall within the scope of this section, then the Presiding Officer shall notify the faculty member and the Academic Officer, and the President of the University shall decide whether or not the claim falls within the scope of this Section. The Presiding Officer shall provide the President with a copy of the faculty member's request for an investigation and the Presiding Officer's decision that the request does not fall within the scope of this Section. In making the final determination, the President may, at his or her discretion, request oral or written statements from the parties. The President shall notify the Presiding Officer of his or her decision. If the President determines that the request for investigation falls within the scope of this Section, then the Presiding Officer shall appoint a faculty judicial panel to review and decide the case. If the President determines that the request for investigation does not fall within the scope of this Section, then the Presiding Officer shall notify the faculty member and the Academic Officer. In any case, the Presiding Officer shall forward copies of the President's decision to the faculty member and the Academic Officer.

(3) Claim Within Grounds. Once a panel has been appointed, the Presiding Officer shall direct the panel to review the request for investigation and to decide, as soon as possible, whether, regardless of its validity, it states a frivolous claim or falls outside the Grounds for Challenge stated under paragraph (a)(2). To make this determination, the panel may, in its discretion, request oral or written statements from the parties. If the panel decides that the request for investigation states a frivolous claim or falls outside the Grounds for Challenge, the panel shall end its investigation and make its report. If the panel decides that the request for investigation does not state a frivolous claim and does fall within the Grounds of these procedures, it shall notify the Presiding Officer, who shall direct the Investigating Officer to begin the investigation.

(4) Stay of Proceedings. The Presiding Officer shall have the power to suspend the deadlines specified under this Section or to stay any proceeding under this Section when requested to do so in writing by either or both parties or the Ombudsperson and when, in the judgment of the Presiding Officer, the resulting delay would significantly advance the possibility of achieving an agreed-upon settlement by the parties.

(5) Submission of Preliminary Statements. The Investigating Officer shall begin the investigation by requesting each party to provide, within ten business days of the request, a Preliminary Statement which shall include the following:

(a) a statement of the issues of fact or judgment, segregated according to the applicable Ground for Challenge, that identify any point or points of disagreement between the University and the faculty member;

(b) a list of the relevant non-testimonial evidence which each party seeks from the opposing party or from others not party to the dispute;

(c) copies of any relevant non-testimonial evidence in the party's possession, custody or control; and

(d) the identity and location of witnesses each party plans to call.

(6) Obtaining the Evidence.

(a) Based on the information received under paragraph (5) above, the Investigating Officer shall obtain the relevant non-testimonial evidence requested by the parties in their Preliminary Statements. The Investigating Officer is empowered to request and to receive the cooperation of the Academic Officer, the collegiate dean, the departmental executive officer, the grieving faculty member, other faculty members, and other University employees and to request and to receive from such persons all non-testimonial evidence of possible relevance to the case, including personnel records concerning teaching, scholarship, or professional service of other faculty members. Faculty members, staff, students and officials of the University have a duty to deliver promptly any such documents, including personnel files that are requested by the Investigating Officer and otherwise to cooperate with the investigation.

(b) If the parties dispute the relevance of any document or part of a document, then the Investigating Officer shall discuss with the parties the possible resolution of the dispute and try to reach an agreement. If no agreement can be reached, then the document or part thereof in question shall be provided to the panel pursuant to the procedures under paragraph III-29.6d(12), together with each party's brief statement regarding its relevance.

(7) Distribution of Materials to the Parties. The Investigating Officer shall provide each party with a copy of the opposing party's Preliminary Statement submitted under paragraph (5) above. The Investigating Officer also shall provide the parties with a copy of all the relevant non-testimonial evidence that the Investigating Officer has obtained under paragraph (6) above.

(8) Confidentiality. During the investigation, all non-testimonial evidence obtained for a case shall be presumed to be confidential with respect to all persons who do not need to have access to the evidence in performing their duties or exercising their rights under these regulations. Prior to the beginning of a hearing or the termination of the panel's responsibilities, whichever occurs first, each party shall be afforded an opportunity to designate evidence or portions of evidence that should continue to be regarded as confidential, and this evidence shall be so marked. Neither party may disseminate or allow to be disseminated any evidence presumed or marked as confidential under this paragraph while a case is pending or after the case has been completed. Documents that were written with an explicit or implied expectation that they were confidential or would not be revealed to the faculty member shall be made available to the parties only after the name of the author or authors of the document is excised and only, to the maximum extent possible consistent with providing the substance of the contents of the document to the parties, after identifying aspects or portions of the documents have been excised.

(9) Final Statements and Rebuttal.

(a) The parties shall submit to the Investigating Officer and to the opposing party and counsel their respective Final Statements in writing according to the schedule set forth below. In their Final Statements, the parties shall set forth their respective positions on the opposing party's Preliminary Statement and on the evidence provided by the Investigating Officer.

(b) The faculty member shall submit his or her Final Statement first, within fifteen business days following his or her receipt of the non-testimonial evidence. Within fifteen business days following the University's receipt of the faculty member's Final Statement, the University shall submit its Final Statement, which may respond to the arguments raised in the faculty member's Final Statement.

(c) The faculty member may submit a written Rebuttal to the University's Final Statement, provided that the faculty member does so within ten business days following the faculty member's receipt of the University's Final Statement. If submitted, the Rebuttal shall be limited to the arguments raised in the University's Final Statement.

(d) The parties may not submit any additional pre-existing evidence with their Final Statements or Rebuttal, although they may attach exhibits such as charts, tables, graphs or summaries created for purposes of these proceedings. No witness statements or affidavits may be submitted with these Final Statements or Rebuttal. When addressing the need for a hearing, the parties may characterize the testimony they anticipate would be presented at such a hearing. Such characterizations in the parties' Final Statements and Rebuttal, however, are argument on the issue of the need for a hearing, and the panel shall not consider them as evidence on the merits of the case.

(10) Assistance to the Parties. Throughout the investigation, the Investigating Officer may meet with the parties together or separately and may assist them in complying with the requirements of paragraph (6) above, as seems appropriate to the Investigating Officer. The Investigating Officer may extend deadlines for submissions by the parties when doing so, in the Investigating Officer's judgment, will expedite the case and/or improve the quality of the material presented to the panel.

(11) Report to the Panel. The Investigating Officer shall report to the panel in writing, with copies to the parties and counsel, any failure, delay or other obstruction by a party in any part of these procedures and shall indicate to the panel whether the failure, delay or obstruction appears to be justifiable. Taking into account the Investigating Officer's report concerning the failure, delay or obstruction, the panel may draw negative inferences and take appropriate action on the basis of a failure of a party to provide relevant documents or other materials or information. Excessive delays or other obstruction to providing documents or other materials or information

may be treated by the panel as a failure to provide the document. The parties shall not submit any response to the report to the panel.

(12) Distribution of Materials to the Panel. The Investigating Officer shall provide each member of the Judicial Panel with:

(a) a copy of the Preliminary Statements submitted under paragraph (5) above;

(b) a copy of the Final Statements and Rebuttal, if any, submitted under paragraph (9) above;

(c) a copy of any item of the relevant non-testimonial evidence the Investigating Officer has obtained under paragraph (6) above which either party has referenced in its Final Statement or Rebuttal submitted under paragraph (9) above; and

(d) access to a complete copy of all the relevant non-testimonial evidence the Investigating Officer has obtained under paragraph (6) above.

(13) Conference Regarding a Hearing. After Final Statements and the Rebuttal, if any, have been submitted, the parties and their attorneys shall meet with the Investigating Officer to discuss:

(a) the desirability of a hearing before the judicial panel at which oral testimony will be taken from witnesses on one or more of the grounds, and the factual issues to be addressed by such testimony; and

(b) the desirability of oral argument by counsel or the parties to the judicial panel regarding the issues presented under one or more of the grounds and the time constraints reasonably to be imposed on such argument.

The judicial panel shall hold a hearing and/or entertain oral argument if the panel or either party desires it. The Investigating Officer shall impose any limitations on the time for argument to the panel. The Investigating Officer shall advise the parties of the Judicial Panel's limitations on the factual issues to be considered in the hearing.

(14) Communication between the Panel and the Parties. A copy of all communication regarding the matter in dispute by the Judicial Panel or any of its members to either party shall be given to the opposing party, all counsel and the Investigating Officer. All communication regarding the matter in dispute by either party or counsel, to the Judicial Panel or to any of its members, shall be directed through the Investigating Officer, except at any hearing held in the case. This rule shall apply even if such communication is responsive to a prior communication from the Judicial Panel or any of its members.

e. The Nature of the Hearing.

(1) Open Hearing. The hearing shall be open unless:

(a) both parties request that it be closed, in which case it shall be closed; or

(b) it is necessary to close the hearing temporarily to preserve the confidentiality of documents or other matters or to protect witnesses who fear reprisals.

The decision to close the hearing for any of the reasons specified in this paragraph shall be made by the Investigating Officer in consultation with the panel. A closed hearing shall be closed to all except the panel, the parties and their counsel, the Investigating Officer, the testifying witness and the recorder of the proceedings.

(2) Recording. The hearing shall be recorded by videotape. The Investigating Officer shall ensure that the recording process maintains the confidentiality of the evidence, and that the resulting videotape is maintained in a secure manner, protecting its confidentiality. The record of the hearing may, at the discretion of the panel, exclude the discussion of procedural matters. Either party or the panel may request that the proceedings also be recorded by a stenographic reporter. The party requesting such additional recording shall bear its cost; if the panel requests it, then the Investigating Officer shall bear its cost. If either party requests a transcript, that party shall bear its cost. If the panel requests a transcript, the office of the Investigating Officer shall bear its cost.

(3) Confidentiality. In any hearing or portion of hearing that is closed, all testimony shall be presumed to be confidential with respect to all persons who do not need to have access to that information in performing their duties.

(4) Sequestration of Witnesses. At the request of either party, witnesses shall be sequestered from the hearing prior to their testimony, unless the panel, in the interests of justice, objects to such sequestration.

(5) Rights of the Parties. Subject to the Investigating Officer's power to control the hearing, described in paragraph (6) below, the faculty member may be accompanied by another faculty member of his or her choice, subject to paragraph (4) above, regarding sequestration of witnesses. In addition, each party shall have the following rights:

(a) to decide which witnesses to call to testify on behalf of that party;

(b) to present evidence through the testimony of a party's own witnesses;

(c) to present any other relevant evidence;

(d) to cross-examine any witness called by the other party;

(e) to make an opening statement before and a closing statement after the presentation of evidence;

(f) to submit a written argument at the conclusion of the presentation of evidence; and

(g) to be consulted and to present oral and/or written argument for the purpose of influencing any decision made by the Investigating Officer in the exercise of the Investigating Officer's power to control the hearing.

(6) Investigating Officer. The Investigating Officer shall have the power to control the hearing, in consultation with the panel, including but not limited to the power:

(a) to ask questions of any witness;

(b) to limit the presentation of evidence on grounds of irrelevancy or redundancy when necessary to avoid an excessively long hearing, but the investigating officer shall not exclude evidence on the basis of formal rules of evidence that would govern a judicial proceeding;

(c) to limit the length of opening and closing statements;

(d) to limit the length of any written arguments submitted;

(e) to limit the time after the conclusion of the presentation of evidence for submission of written arguments to the panel;

(f) to set the date, time, and place for conducting the hearing, including the beginning, ending, adjournments, and any reopenings, in the interest of achieving an expeditious proceeding and accommodating the convenience of the parties.

(g) to take such action as seems appropriate to preserve the confidentiality of marked documents or other confidential matters to the maximum extent possible consistent with a full opportunity of each party to present and hear relevant evidence.

(7) The Panel. The panel shall have the power to ask questions of any witness.

f. Burdens of Proof and Standards of Judgment. The Judicial Panel shall make findings of fact and shall draw conclusions based on those findings, consistent with the burdens of proof and standards of judgment applicable to each Ground for Challenge, as set forth below.

(1) Violation of a University Obligation. In order to gain a favorable recommendation from the panel on this ground, the faculty member must show, by the preponderance of the evidence, that on the basis of a written promise to the faculty member by an authorized administrator of the University, the faculty member was justified in believing that the administrative action or non-action would not occur and that the faculty member relied detrimentally on that promise. The faculty member must either present in evidence the document or documents upon which the claim of a violation of a University obligation is based or else justify the failure to do so.

(2) Unfair Impediment. In order to gain a favorable recommendation from the panel on this ground, the faculty member must show, by the preponderance of the evidence, both 1) that the action or non-action significantly impairs the ability of the faculty member to do what is ordinarily expected of a faculty member, and 2) that the action or non-action is not significantly related either to any reasonable institutional need or to the faculty member's performance as a faculty member.

(3) Improper Reason. In order to gain a favorable recommendation from the panel on this ground, the faculty member must show, by the preponderance of the evidence, both 1) that the occurrence of the administrative action or non-action was substantially affected by an improper reason, and 2) that the action or non-action adversely affects the faculty member. If the faculty member shows only that there exists or existed a condition that might have been involved improperly in the action or non-action, the panel shall not find in favor of the faculty member on this ground.

(4) Violation of Academic Freedom or Tenure Rights. In order to gain a favorable recommendation from the panel on this ground, the faculty member must show, by the preponderance of the evidence, that some administrative action or non-action did violate the faculty member's academic freedom or tenure rights.

g. Report of the Panel.

(1) The panel shall make its recommendations in a written report which shall be prepared and sent to the Presiding Officer as soon as possible after the conclusion of the investigation and hearing. If the panel has found in favor of the faculty member on any ground, it may make any recommendations that it judges to be required by the equities of the case, except that it may not recommend the paying of counsel fees.

(2) The report shall contain findings of fact and conclusions drawn from those findings as well as the panel's recommendations, if any. The report shall include findings of fact and conclusions drawn from those findings that resolve each and every ground raised by the faculty member, even if the conclusion reached on one ground is sufficient to support the Panel's recommendation. The report shall specifically include the following:

(a) an express statement of each ground raised by the faculty member, including the identity and definition of each ground specified in III-29.6a(2);

(b) an express statement of the burden of proof governing each ground raised by the faculty member as specified in III 29.6f; and

(c) an opinion explaining the reasons for the panel's conclusions and recommendations, if any, based on the findings of fact and the burden of proof and standard of judgment applicable to each ground raised by the faculty member.

(3) The report shall be written in a manner that satisfies the requirement of protecting confidentiality to the maximum extent possible as provided in III-29.4h and III-29.6d(8). In preparing its report, the panel may, in its discretion, seek the assistance of the Investigating Officer.

(4) If the panel has not found in favor of the faculty member on any ground, the Presiding Officer shall send copies of the report only to the faculty member, the departmental executive officer, the collegiate dean, the Academic Officer, the University Representative, and the Investigating Officer. The case is then closed, subject only to a decision by the Board of Regents to grant the faculty member a request for review.

(5) If the panel has found in favor of the faculty member on any ground, the Presiding Officer shall send copies of the report to the persons named in paragraph (4) above, and shall also send a copy of the report to the President.

h. The President's Decision. If the panel has found in favor of the faculty member on any ground, the President of the University shall decide whether or not the University will accept the recommendations of the panel. The President may seek advice of counsel concerning the decision, but the Office of General Counsel shall not provide that advice if it had previously advised the University Representative concerning the matter.

(1) Basis for President's Decision. The President's decision shall be based on all documents, testimony, and other matters presented to the panel. The President shall not hold a hearing, but may meet with the panel. Furthermore, either party may submit a brief to the President within ten business days of receiving notice that the Presiding Officer has transmitted the panel's report to the President. In making the decision, the President shall give great weight to the recommendations of the panel. Like the panel, the President shall be bound by the burdens of proof and standards of judgment stated in paragraph (f) above.

(2) President Accepts All Recommendations in Favor of Faculty Member. If the President accepts all of the panel's recommendations in favor of the faculty member, the President shall direct that the panel's recommendations be implemented. The President shall so inform the Presiding Officer in writing, and shall send a copy thereof to the panel members. The Presiding Officer shall send copies of the President's final decision to the faculty member, the departmental executive officer, the collegiate dean, the Academic Officer, the University Representative, each of the members of the panel, and the Investigating Officer. The case will then be closed.

(3) President Does Not Accept the Panel's Recommendation. If the President does not accept one or more of the recommendations of the panel, the President shall inform the panel members in writing of the reasons for not accepting the panel's recommendation and shall send a copy thereof to the faculty member, the University Representative, the Presiding Officer and the Investigating Officer. Within five days of receiving the President's decision, either party may submit a brief to the Investigating Officer for the panel's consideration. The Investigating Officer shall send copies of any brief so submitted to the opposing party, each member of the judicial panel and the Presiding Officer. The panel then shall reconsider its recommendations and report the result of its reconsideration to the President in a supplementary written report. The panel shall send copies of its report to the parties, the Presiding Officer and the Investigating Officer. The panel shall respond within ten business days of the date on which the panel's chair receives the President's letter or the parties' briefs, whichever is later. Within five days of receiving the panel's report, either party may submit a brief to the President, with copies to the opposing party, the Presiding Officer and the Investigating Officer. The President then shall

make a final decision on the matter. In making this final decision, the President shall give great weight to the views of the panel.

(a) After Panel Reconsideration, President Decides Against Faculty Member. If, after panel reconsideration, the President decides against the faculty member on all grounds, the President shall inform the panel members in writing of the final decision and of any additional reasons supporting the decision and shall send a copy thereof to the Presiding Officer. The Presiding Officer shall send copies of the President's final decision and reasons to the faculty member, the departmental executive officer, the collegiate dean, the Academic Officer, the University Representative, each of the members of the panel, and the Investigating Officer. The case will then be closed, subject only to a decision by the Board of Regents to grant the faculty member a request for review.

(b) After Panel Reconsideration, President Accepts At Least One, But Not All, Recommendations in Favor of Faculty Member. If, after panel reconsideration, the President accepts at least one, but not all, of the panel's recommendations in favor of the faculty member, the President shall direct that those recommendations that the President accepts be implemented. The President shall inform the panel members in writing of those recommendations that the President accepts, and of those that the President does not accept, and of any additional reasons supporting the decision. The President shall send a copy of the decision to the Presiding Officer. The Presiding Officer shall send copies of the President's final decision to the faculty member, the departmental executive officer, the collegiate dean, the Academic Officer, the University Representative, and the Investigating Officer. The case will then be closed, subject only to a decision by the Board of Regents to grant the faculty member a request for review with regard to those recommendations not accepted by the President.

29.7 Ethics

(Amended 8/13)

a. Complaint of Violation of Professional Ethics and Academic Responsibility Policy (III-15). The procedures described in this section constitute the exclusive remedy within the University for resolution of any complaint that a faculty member violated the Professional Ethics and Academic Responsibility Policy. Procedures applicable to complaints that a faculty member violated any other University policy are stated under paragraph b below.

(1) Complaint. Such a complaint may be filed with the Academic Officer by any person, or a complaint may be initiated by the Academic Officer.

(2) Preliminary Actions by the Academic Officer. The Academic Officer shall make a brief investigation as may be appropriate to determine whether there is a reasonable basis for believing that a violation of the Professional Ethics and Academic Responsibility Policy has occurred. This investigation, to be conducted in such a manner as to avoid injury to the faculty member's reputation, ordinarily shall be completed within twenty days following receipt of the complaint.

(a) If, at this time or at any later time, the Academic Officer concludes that a reasonable basis does not exist, the Academic Officer shall so notify the complainant. Despite a finding of no reasonable basis, the Academic Officer may, in his or her discretion, propose measures for reconciliation between the faculty member and the complainant. If the faculty member and the complainant do not agree to participate in such reconciliatory measures, the case will be closed, and no further investigation or review will be undertaken.

(b) If the Academic Officer concludes that there is a reasonable basis for believing that a violation of III-15 Professional Ethics and Academic Responsibility has occurred, the Academic Officer, on behalf of the University, may forward a Notice of Charges to the Presiding Officer and the matter shall proceed as described below.

b. Policy Violation. If any of the following University policies is determined, pursuant to its own procedures, to have been violated, then the Academic Officer on behalf of the University may reach a resolution with the faculty member:

Statement on Professional Ethics and Academic Responsibility (III-15);
Sexual Harassment Policy (II-4);
Consensual Relationships Involving Students (II-5);
Violence (II-10);
Anti-Retaliation Policy (II-11);
Drug Free Environment Policy (II-12);
Anti-Harassment Policy (II-14); and
Any other University policy governing faculty members' ethical misconduct.

If the faculty member does not accept the proposed resolution, the faculty member may appeal the University's position through these procedures. In such a case, the Academic Officer, on behalf of the University, shall prepare a Notice of Charges as described below, and shall forward it to the Presiding Officer, and the matter shall proceed as described below.

(1) Notice of Charges. The Notice of Charges shall quote the provisions of the Professional Ethics and Academic Responsibility Policy or any other University policy asserted to have been violated and shall set forth in reasonable detail the circumstances of the alleged violation. Copies of the Notice of Charges shall be sent to the faculty member involved, to the departmental executive officer and collegiate dean, to the Presiding Officer, and to the complainant, if other than the Academic Officer. The Academic Officer shall attach to the Notice of Charges sent to the faculty member a copy of these procedures.

(2) Faculty Panel Appointment. No later than three business days after receipt of a Notice of Charges, the Presiding Officer shall appoint a faculty judicial panel to review the case. In its discretion, the faculty judicial panel may seek the assistance of the Investigating Officer in investigating the Notice of Charges prior to holding a hearing.

(3) Hearing. The hearing shall be held within two weeks of the appointment of the faculty panel.

(a) The Investigating Officer shall assist the panel as necessary in obtaining, with notice to the faculty member and the Academic Officer, any non-testimonial evidence the panel may desire before proceeding to hearing. The Investigating Officer also shall assist the panel in making arrangements for the hearing and shall have other duties as described below.

(b) Closed Hearing. The hearing shall be closed.

(c) Recording. The hearing shall be recorded by video recording and may also be recorded by a stenographic reporter, as the panel may decide. The record of the hearing may, at the discretion of the panel, exclude the discussion of procedural matters. The Investigating Officer shall ensure that the recording process maintains the confidentiality of the proceedings, and that the resulting video record is maintained in a secure manner, protecting its confidentiality. If any party requests a transcript, that person shall bear its cost. If the panel requests a transcript, the Investigating Officer shall bear its cost.

(d) Refusal to Testify. A faculty member against whom a charge has been brought or the alleged victim in a Title IX case has the right to refuse to testify or

even to appear at a hearing on the case. Such a refusal to testify or to appear shall not be taken as indicative of guilt by the faculty member or of insincerity by the alleged victim.

(e) Sequestration of Witnesses. Any witness other than the faculty member, the Academic Officer, and the complainant in a Title IX case shall be sequestered from the hearing until such witness has completed testifying, unless the panel, in the interests of justice, objects to such sequestration.

(f) Rights of the Parties and the Alleged Victim. Subject to the Investigating Officer's power to control the hearing, described below,

(i) the accused faculty member may be accompanied by another faculty member of his or her choice, and

(ii) the alleged victim in a Title IX case may be accompanied by an advocate of his or her choice,

subject to the provisions above, regarding sequestration of witnesses. In addition, the Academic Officer, the accused faculty member, and the complainant in a Title IX case shall have the following rights:

(iii) to decide which witnesses to call to testify on behalf of that party;

(iv) to present evidence through the testimony of a party's own witnesses;

(v) to present any other relevant evidence;

(vi) to cross-examine any witness called by the other party;

(vii) to make an opening statement before and a closing statement after the presentation of evidence; and

(viii) to be consulted and to present oral argument for the purpose of influencing any decision made by the Investigating Officer in the exercise of the Investigating Officer's power to control the hearing.

(g) Rights of the Alleged Victim when Not the Complainant in a Title IX case. The judicial panel shall determine whether the alleged victim may attend the hearing for any purpose other than to testify. The panel's determination shall be based on the interests of justice and shall take into account the advice of the Investigating Officer. The alleged victim shall have the right to be represented by counsel or by another person of his or her choice in connection with the alleged victim's testimony as a witness at the hearing. The alleged victim shall not participate as a party in the hearing. This paragraph does not apply to any case in which the alleged victim is the complainant in a Title IX case, as the complainant in such a case shall be accorded rights equivalent to those enjoyed by the accused.

(h) Investigating Officer. The Investigating Officer shall have the power to control the hearing, in consultation with the panel, including but not limited to the power:

(i) to ask questions of any witness called by either party;

(ii) to limit the presentation of evidence on grounds of irrelevancy or redundancy when necessary to avoid an excessively long hearing, but the investigating officer shall not exclude evidence on the basis of formal rules of evidence that would govern a judicial proceeding;

(iii) to limit the length of opening and closing statements;

(iv) to set the date, time, and place for conducting the hearing, including the beginning, ending, adjournments, and any reopenings, in the interest of achieving an expeditious proceeding and accommodating the convenience of the parties and the panel;

(v) to take such action as seems appropriate to preserve the confidentiality of marked documents or other confidential matters to the maximum extent possible consistent with a full opportunity of each party and the alleged victim in aTitle IX case to present and hear relevant evidence; and

(vi) to sequester witnesses, pursuant to paragraph (5) above.

(i) The Panel. The panel shall have the power:

(i) to ask questions of any witness; and

(ii) to make the findings and recommendations required to write the report described below.

(j) Burden of Proof and Standards of Judgment. In all cases brought under this section, the Academic Officer, on behalf of the University, shall bear the burden of proving, by the preponderance of the evidence in the record as a whole, that the faculty member violated the Professional Ethics and Academic Responsibility Policy or other University policy as stated in the Notice of Charges.

(k) Report. The panel shall state its findings and make its recommendations in a written report which shall be prepared and sent to the Presiding Officer within ten days after the conclusion of the hearing.

(i) The report shall be written in a manner that satisfies the requirement of protecting confidentiality to the maximum extent possible.

(ii) The report shall set forth findings of fact and conclusions drawn from those findings. The report shall specify any sanctions that the panel recommends; such sanctions may consist of any combination of the following:

(A) Letter of warning or censure;

(B) Denial of specific privileges for specified periods;

(C) Adjustments in assigned duties or in compensation;

(D) Suspension for a specified period;

(E) Dismissal from employment;

(F) Performance of additional duties or issuance of apologies; or

(G) Other remedies or sanctions that the panel deems appropriate, including those providing for the safety of the alleged victim in a Title IX

case or securing the University community as a whole.

(iii) In preparing its report, the panel in its discretion may seek the assistance of the Investigating Officer.

(iv) The panel shall send its report and recommendations, if any, to the Presiding Officer. The Presiding Officer then shall send copies of the report to the faculty member, the President, the Academic Officer, the complainant, if any, in a Title IX case, and the Investigating Officer.

(l) President's Review. The President shall determine what action, if any, the University shall take, based on the panel's findings and recommendations. The President may seek advice of legal counsel concerning the decision, and the President in consultation with the Vice President for Legal Affairs and General Counsel shall determine who shall provide that counsel.

(i) Basis for President's Decision. The President's decision shall be based on all documents, testimony, and other matters presented to the panel. The President shall not hold a hearing, but may meet with the panel. Furthermore, either party may submit a brief to the President within five business days of receiving notice that the Presiding Officer has transmitted the panel's report to the President. In making the decision, the President shall give great weight to the findings and recommendations of the panel. Like the panel, the President shall be bound by the burden of proof and standard of judgment stated above.

(ii) President Accepts All Findings and/or Recommendations. If the President accepts all of the panel's findings and/or recommendations for sanctions, the President shall direct that the panel's recommendations be implemented. The President shall so inform the Presiding Officer in writing no later than fifteen days after receiving the panel's decision. The Presiding Officer shall send copies of the President's final decision to the faculty panel members, the faculty member, the departmental executive officer, the collegiate dean, the Academic Officer, the University Representative, each of the members of the panel, the complainant in a Title IX case, and the Investigating Officer. The case will then be closed.

(iii) President Does Not Accept the Panel's Findings and/or Recommendations. If the President does not accept one or more of the findings and/or recommendations of the panel, the President shall consult with the panel as a whole to address the points of disagreement. This consultation shall occur no later than ten days after receiving the faculty panel's report so that the President will have considered the Parties' briefs. The President then shall make a final decision on the matter within fifteen days following receipt of the faculty panel report. In making this final decision, the President shall give great weight to the views of the panel.

(A) After Panel Consultation, President Rejects All Findings and/or Recommendations. If, after panel consultation, the President rejects all of the panel's findings and/or recommendations for sanctions, the President shall inform the panel members in writing of the final decision and of any additional reasons supporting the decision and shall send a copy thereof to the Presiding Officer. The Presiding Officer shall send copies of the President's final decision and reasons to the faculty member, the departmental executive officer, the collegiate dean, the Academic Officer, the University Representative, each of the members of the panel, the complainant in a Title IX case, and the Investigating Officer. The case will then be closed, subject only to a decision by the Board of Regents to grant the faculty member or the complainant in a Title IX case further review.

(B) After Panel Consultation, President Accepts At Least One, But Not All, Finding(s) and/or Recommendation(s). If, after panel consultation, the President accepts at least one, but not all, of the panel's findings and/or recommendations for sanctions, the President shall direct that those recommendations that the President accepts be implemented. The President shall inform the panel members in writing of those findings and/or recommendations that the President accepts, and of those that the President does not accept, and of any additional reasons supporting the decision. The President shall send a copy of the decision to the Presiding Officer. The Presiding Officer shall send copies of the President's final decision to the faculty member, the departmental executive officer, the collegiate dean, the Academic Officer, the University Representative, the complainant in a Title IX case, and the Investigating Officer. The case will then be closed, subject only to a decision by the Board of Regents to grant the faculty member or the complainant in a Title IX case a request for review with regard to those recommendations not accepted by the President.

29.8 Unacceptable Performance of Duty Warranting Termination

(1/02)

a. Introduction.

(1) Scope. This section establishes procedures to be followed by the University in initiating and conducting proceedings against a faculty member whose performance of duty is alleged to fall for a significant period of time, below the standard of performance required of an individual in the position occupied by the faculty member, to such an extent that the person is unfit to serve on the faculty.

(2) Alternative Conclusions. The procedures set forth in this section are intended only in cases for which dismissal for unacceptable performance of duty is contemplated, although the proceedings under this section may result in a recommendation other than termination. For example, the procedures may result in a change of the faculty member's assigned duties, a reallocation of effort, or other adjustments in the terms and conditions of the faculty member's employment.

(3) Academic Freedom. All proceedings under this section shall respect the principles of academic freedom stated in the Statement on Tenure and Academic Vitality at The University of Iowa (III-10.1 a(2), Regents 2/14/74), which commits the university to the principle that "free inquiry and expression are essential to the maintenance of excellence; tenure is essential to free inquiry and expression."

(4) Responsibility for lodging a complaint of unacceptable performance of duty warranting termination lies with the collegiate dean, according to the procedures set out in this section.

(5) Responsibility for formal notice of a charge of unacceptable performance of duty warranting termination lies with the academic officer, according to the procedures set out in this section.

b. Conditions. A tenured faculty member may be subject to a complaint of unacceptable performance of duty warranting termination only under the following conditions:

(1) When a faculty member's performance of duty is judged to have been, for a significant period of time, below the standard of performance required of an individual in the position occupied by the faculty member, to such an extent that the person is unfit to serve on the faculty, for reasons that may include but are not limited to substantial and manifest neglect of faculty duties, or inability to perform those duties.

(2) When reasonable efforts have been made by University, collegiate, and departmental officers to resolve concerns about unacceptable faculty performance in accordance with the University's policies governing post-tenure performance, including but not limited to yearly evaluations for merit pay, and periodic post-tenure

review, and through other remedies short of termination.

c. Complaint.

(1) The collegiate dean shall make a complaint of unacceptable performance of duty warranting termination only after formal consultation with faculty colleagues in the department or academic unit of the faculty member's principal and secondary appointments, according to the following procedures.

(a) The dean shall request an independent report from the departmental consulting group(s), consisting where possible of all faculty with primary appointments in the faculty member's unit of equal and higher rank and in no case fewer than four (as defined in policies governing tenure and promotion) or an ad hoc committee elected by the relevant consulting group(s) and charged with the function of rendering confidential advice in such situations. When making the request, the dean shall state explicitly the basis for the request with reference to each of the conditions outlined in paragraph b above. At the time the request is made, the dean shall inform the faculty member in writing that a request for a report has been made to the departmental consulting group(s), and shall provide the faculty member a copy of the request.

(b) In the report, each departmental consulting group(s) or elected committee(s) shall make a judgment concerning whether the faculty member's performance of duties warrants termination. Qualified faculty peers (both internal and external) carry primary responsibility for assessing the acceptability of a faculty member's teaching, scholarship, and service.

(c) In colleges with DEOs, the dean also shall request an independent report from the faculty member's DEO.

(d) If the faculty member has a joint appointment within a college, the dean shall request the reports described in this section (III-29.8b(1)(a)-(c)) from each academic unit in the college.

(e) If the faculty member has a joint appointment in more than one college, the dean initiating the investigation will inform the dean(s) of the other appropriate college(s) and have each dean request the reports described in this section (III-29.8b(1)(a)-(c)) from each relevant academic unit in the college(s). When the reports from each unit in the college have been received, the dean(s) will forwarded them with his/her own letter regarding the faculty member's performance to the dean initiating the investigation.

(f) All evaluations and reports solicited by the dean must include an explanation of the standards used to judge the faculty member's performance and the basis for determining any conclusions or recommendations.

(g) Before the reports prepared by the departmental consulting group(s) and DEO(s) are transmitted to the dean, the DEO(s) of the faculty member's principal and secondary academic unit(s) will provide the faculty member with a complete redacted copy of all reports. The faculty member shall be given a reasonable opportunity (normally up to 30 days) to respond in writing to the reports before they are transmitted to the dean.

(2) The collegiate dean's complaint of unacceptable performance of duty warranting termination shall be based on a thorough evaluation of the written record concerning the faculty member's overall performance.

(a) The evaluation shall consider whether or not the faculty member's performance of duty has been for a significant period of time, below the standard of performance required of an individual in the position occupied by the faculty member to such an extent that the person is unfit to serve on the faculty.

(b) The collegiate dean shall assemble a written record which shall include, but not be limited to, post-tenure reviews and other methods of peer evaluation, the findings and recommendations of the departmental consulting group(s) and the DEO(s), and any responses to those reports by the faculty member.

(c) The faculty member shall have the right to comment on a redacted copy of the entire written record prepared by the dean, and a reasonable amount of time (normally up to 30 days) to respond in writing.

(d) Before the dean notifies the academic officer of a complaint of unacceptable performance of duty warranting termination, the responsible departmental executive officer or the collegiate dean shall fully inform the faculty member of the grounds for the complaint, and may explore with the faculty member possible settlements, which might preclude the necessity for formal University-level action charging the faculty member with unacceptable performance of duty warranting termination.

(e) The dean may deviate from the findings of the departmental consulting groups on the acceptability of the faculty member's academic performance only to the extent that the dean finds them to be clearly erroneous.

(3) The collegiate dean shall notify the academic officer of a complaint of unacceptable performance of duty warranting termination by setting forth in writing the specific findings of unacceptable performance of duty warranting termination. The dean's notification shall include the entire written record (including all responses from the faculty member), and a review of the efforts that have been made to resolve the matter within the established procedures of the college in question, addressing each of the conditions set out in paragraph b above.

d. Formal Notice by Academic Officer. On receipt of the dean's notification of a complaint of unacceptable performance of duty warranting termination, the academic officer shall:

(1) Determine whether there is a reasonable basis for the complaint that the faculty member's performance of duty has been for a significant period of time, below the standard of performance required of an individual in the position occupied by the faculty member to such an extent that the person is unfit to serve on the faculty.

(2) Ascertain whether good faith efforts have been made by collegiate and departmental officers to resolve concerns in a manner mutually acceptable to all parties.

(3) Decide whether further action is warranted.

(4) Upon a determination that further action is warranted, the academic officer shall:

(a) Send to the presiding officer a copy of the collegiate dean's notification, a statement providing the academic officer's reasons for deciding that further action is warranted, and a request that the presiding officer appoint a mediator from the Faculty Judicial Commission;

(b) File a formal charge of unacceptable performance of duty warranting termination against the faculty member and send it and a copy of the collegiate dean's notification, and a copy of the academic officer's statement, to the faculty member, together with a notice that the matter will proceed to mediation, pursuant to the procedures set forth in III-29.8d.

e. Mediation.

(1) Proceedings will be suspended for twenty days from the date of the academic officer's formal notice. During this time, the presiding officer shall select a mediator

from the list of mediators then serving on the Faculty Judicial Commission. The presiding officer shall remove from this list any mediator against whose service the academic officer or the faculty member shows cause to the satisfaction of the presiding officer. Then the faculty member may indicate the order of preference for mediation by each of the mediators remaining on the presiding officer's list. The presiding officer will make necessary arrangements with the mediator for whom the faculty member indicated first preference. If this individual declines to serve as mediator, the presiding officer will contact the person next in the order of the faculty member's stated preference, and so on until a mediator is selected. If none of the mediators can serve, then the mediator shall be selected by agreement of the faculty member and the academic officer. If the presiding officer determines that no agreement can be reached, then the presiding officer shall select randomly three members of the Faculty Judicial Commission who qualify and are available for such service, placing them on the list of potential mediators. The faculty member and the academic officer each may make one peremptory challenge, after which the presiding officer shall appoint as mediator that individual remaining on the list, or, if more than one individual remains on the list, the presiding officer shall select the mediator randomly from those remaining.

(2) Parties. The academic officer and the faculty member shall be the parties to the mediation.

(3) Mediation shall begin at any time after twenty days after the date of the academic officer's formal notice. Mediation must be completed or declared unsuccessful by the mediator within thirty days after mediation begins.

(4) Preliminary Matters. The mediator shall meet with the parties at the outset of the mediation to establish the procedures under which the mediation will be conducted.

(5) At the conclusion of the mediation, the mediator shall submit a report to the academic officer and the presiding officer, with copies to the parties involved. Such report shall state only whether the matter was settled or not settled, and if settled, the mediator shall attach to the report a copy of the settlement agreement which shall be signed by the parties.

(a) The appropriate administrative officers shall implement any settlement achieved through the mediation, and the case will then be closed. Such settlement shall remain confidential unless the faculty member and the academic officer agree otherwise.

(b) If the mediator reports that no settlement was achieved, the academic officer may, at his or her discretion, dismiss the case or notify the presiding officer that a faculty panel will have to be appointed to investigate and decide the case. This notification shall include a summary of actions in the case that occurred since the date of the formal notice.

f. Faculty Judicial Panel Appointment. If a faculty judicial panel is needed to review and decide the case, the presiding officer is responsible for the appointment. In its discretion, the faculty judicial panel may seek the assistance of the investigating officer in investigating the formal notice prior to holding a hearing.

g. Hearing.

(1) The investigating officer shall assist the faculty judicial panel as necessary in obtaining, with notice to the faculty member and the academic officer, any non-testimonial evidence the panel may desire before proceeding to hearing. The investigating officer also shall assist the panel in making arrangements for the hearing and shall have other duties as described below.

(2) Open Hearing. The hearing shall be open unless:

(a) both the academic officer and the accused faculty member request that it be closed, in which case it shall be closed; or

(b) it is necessary to close the hearing temporarily to preserve the confidentiality of documents or other matters or to protect witnesses who fear reprisals.

The decision to close the hearing for any of the reasons specified in this paragraph shall be made by the investigating officer in consultation with the panel.

(3) Recording. The hearing shall be recorded by videotape and may also be recorded by a stenographic reporter, as the panel may decide. The record of the hearing may, at the discretion of the panel, exclude the discussion of procedural matters. The investigating officer shall ensure that the recording process maintains the confidentiality of the proceedings, and that the resulting videotape is maintained in a secure manner, protecting its confidentiality. If either party requests a transcript, that party shall bear its cost. If the panel requests a transcript, the office of the investigating officer shall bear its cost.

(4) Refusal to Testify. A faculty member against whom a charge has been brought has the right to refuse to testify or even to appear at a hearing on the case. No adverse inferences shall be drawn from the faculty member's failure to testify and such failure shall not prejudice the faculty member's case in any way.

(5) Sequestration of Witnesses. Any witness, other than the faculty member or the academic officer, shall be sequestered from the hearing until such witness has completed testifying unless the panel, in the interests of justice, objects to such sequestration.

(6) Rights of the Parties. Subject to the investigating officer's power to control the hearing, described in paragraph (7) below, the accused faculty member may be accompanied by another faculty member of his or her choice, subject to paragraph (5) above, regarding sequestration of witnesses. In addition, the academic officer and the accused faculty member shall have the following rights:

(a) to decide which witnesses to call to testify on behalf of that party;

(b) to present evidence through the testimony of a party's own witnesses;

(c) to present any other relevant evidence;

(d) to cross-examine any witness called by the other party;

(e) to make an opening statement before and a closing statement after the presentation of evidence;

(f) to submit a written argument at the conclusion of the presentation of evidence; and

(g) to be consulted and to present oral and/or written argument for the purpose of influencing any decision made by the investigating officer in the exercise of the investigating officer's power to control the hearing.

(7) Investigating Officer. The investigating officer shall have the power to control the hearing, in consultation with the panel, including but not limited to the power:

(a) to ask questions of any witness called by either party;

(b) to limit the presentation of evidence on grounds of irrelevancy or redundancy when necessary to avoid an excessively long hearing, but the investigating officer shall not exclude evidence on the basis of formal rules of evidence which would govern a judicial proceeding;

(c) to limit the length of opening and closing statements;

(d) to limit the length of any written arguments submitted;

(e) to limit the time after the conclusion of the presentation of evidence for submission of written arguments;

(f) to set the date, time, and place for conducting the hearing, including the beginning, ending, adjournments, and any reopenings, in the interest of achieving an expeditious proceeding and accommodating the convenience of the parties;

(g) to take such action as seems appropriate to preserve the confidentiality of marked documents or other confidential matters to the maximum extent possible consistent with a full opportunity of each party to present and hear relevant evidence; and

(h) to sequester witnesses, pursuant to paragraph (5) above.

(8) The Panel. The panel shall have the power:

(a) to ask questions of any witness; and

(b) to make the findings and recommendations and to write the report described below.

h. Burden of Proof and Standards of Judgment. In all cases brought under this section seeking dismissal or termination, the academic officer, on behalf of the University, shall bear the burden of proving, by clear and convincing evidence in the record as a whole, the findings of unacceptable performance of duty warranting termination set forth in the dean's notification, and shall bear the burden of proving, by clear and convincing evidence in the record as a whole, that the determination of unacceptable performance of duty warranting termination involves no violation of the academic freedom of the faculty member, if the faculty member has alleged such a violation.

i. Report. The panel shall state its findings and make its recommendations in a written report which shall be prepared and sent to the presiding officer as soon as possible after the conclusion of the hearing.

(1) The report shall be written in a manner that satisfies the requirement of protecting confidentiality to the maximum extent possible as provided in III-29.4i.

(2) The report shall contain findings of fact and conclusions drawn from those findings. The report shall specify any sanctions that the panel recommends, including termination of appointment, change in the faculty member's assigned duties, or other adjustments in the terms of the faculty member's employment.

(3) In preparing its report, the panel in its discretion may seek the assistance of the investigating officer.

(4) The panel shall send its report and recommendations, if any, to the presiding officer. The presiding officer then shall send copies of the report to the faculty member, the President, the academic officer, and the investigating officer.

j. President's Review. The President shall determine what action, if any, the University shall take, based on the panel's findings and recommendations. The President may seek advice of counsel concerning the decision, but the Office of the General Counsel shall not provide that advice if it had previously advised the academic officer or the University representative concerning the matter.

(1) Basis for President's Decision. The President's decision shall be based on all documents, testimony, and other matters presented to the panel. The President shall not hold a hearing, but may meet with the panel. Furthermore, either party may submit a brief to the President within ten business days of receiving notice that the presiding officer has transmitted the panel's report to the President. In making the decision, the President shall be bound by the burden of proof and standard of judgment stated in paragraph g above.

(2) President Accepts All Findings and/or Recommendations. If the President accepts all of the panel's findings and/or recommendations for sanctions, the President shall direct that the panel's recommendations be implemented. The President shall so inform the presiding officer in writing, and shall send a copy thereof to the panel members. The presiding officer shall send copies of the President's final decision to the faculty member, the departmental executive officer, the collegiate dean, the academic officer, the University Representative, each of the members of the panel, and the investigating officer. The case will then be closed.

(3) President Does Not Accept the Panel's Findings and/or Recommendations. If the President does not accept one or more of the findings and/or recommendations of the panel, the President shall inform the panel members in writing of the reasons for not accepting such finding(s) and/or recommendation(s) and shall send a copy thereof to the faculty member, the academic officer, the presiding officer and the investigating officer. Within five days of receiving the President's decision, the faculty member and the academic officer each may submit a brief to the investigating officer for the panel's consideration. The investigating officer shall send copies of any brief so submitted to the opposing party, each member of the judicial panel and the presiding officer. The panel then shall reconsider its findings and recommendations and shall report the result of its reconsideration to the President in a supplementary written report. The panel shall send copies of its report to the parties, the presiding officer and the investigating officer. The panel shall respond within ten business days of the date on which the panel's chair receives the President's letter or the parties' briefs, whichever is later. Within five days of receiving the panel's report, the faculty member and the academic officer each may submit a brief to the President, with copies to the opposing party, the presiding officer and the investigating officer. The President then shall make a final decision on the matter. In making this final decision, the President shall give great weight to the views of the panel.

(a) President Rejects all Findings and/or Recommendations. If, after panel reconsideration, the President rejects all of the panel's findings and/or recommendations for sanctions, the President shall inform the panel members in writing of the final decision and of any additional reasons supporting the decision and shall send a copy thereof to the presiding officer. The presiding officer shall send copies of the President's final decision and reasons to the faculty member, the departmental executive officer, the collegiate dean, the academic officer, the University representative, each of the members of the panel, and the investigating officer. The case will then be closed, subject only to further review by the Board of Regents.

(b) After Panel Reconsideration, President Accepts At Least One, But Not All, Findings and/or Recommendations. If, after panel reconsideration, the President accepts at least one, but not all, of the panel's findings and/or recommendations for sanctions, the President shall direct that those recommendations that the President accepts be implemented. The President shall inform the panel members in writing of those findings and/or recommendations that the President accepts, and of those that the President does not accept, and of any additional reasons supporting the decision. The President shall send a copy of the decision to the presiding officer. The presiding officer shall send copies of the President's final decision to the faculty member, the departmental executive officer, the collegiate dean, the academic officer, the University representative, and the investigating officer. The case will then be closed, subject only to a decision by the Board.

k. Appeal to the Board of Regents. Any tenured faculty member terminated for unacceptable performance of duty shall have the right of appeal to the Board of Regents.

29.9 Clinical Faculty Member Termination or Denial of Promotion or Reappointment

(Amended 9/16)

a. Introduction.

(1) Scope. The procedures described in this section constitute the exclusive remedy within the University for a salaried clinical faculty member who wishes to challenge a decision by the University to terminate or to deny promotion or reappointment to the clinical faculty member. A clinical faculty member may challenge the University's administrative action or non-action by following the procedures set forth in III-29.6. The procedures for determination of unethical conduct by a clinical faculty member are governed by III-29.7. The University's general policy regarding clinical faculty members is stated in III-10.9.

(2) Grounds for a Challenge to a Decision to Deny Initial Reappointment. A challenge by a clinical faculty member to a decision by the University to deny reappointment before the clinical faculty member has received a successful three-year review may be made only on one or more of the grounds which are identified and defined as follows:

(a) Violation of a University Obligation: that the decision was made in violation of a written promise of reappointment to the clinical faculty member by an authorized administrator of the University;

(b) Clearly Adequate Record of Achievement: that the decision is unjustified in view of the clinical faculty member's clearly adequate record of achievement under governing standards of the department or other academic unit in question;

(c) Improper Reason: That the decision was based in part or in whole on the clinical faculty member's race, creed, color, religion, national origin, age, sex, pregnancy, disability, genetic information, status as a U.S. veteran, service in the U.S. military, sexual orientation, gender identity, associational preferences, or other characteristic that should be irrelevant to the decision, or for a reason that violates the clinical faculty member's academic freedom;

(d) Improper Procedure: that the decision was made without reasonable consultation with the faculty colleagues of the clinical faculty member as required by the University, college, or department, or in a way that violates some other established University, college, or department procedures;

(e) Unfair Impediment: that the decision was the result of a failure of the clinical faculty member to meet the requirements for reappointment due to an unfair impediment for which the University or one of its officers is responsible.

(3) Grounds for a Challenge to a Decision to Deny Promotion. A challenge by a clinical faculty member to a decision by the University to deny promotion may be made only on one or more of the grounds which are identified as follows:

(a) Violation of a University Obligation: that the decision was made in violation of a written promise of promotion to the clinical faculty member by an authorized administrator of the University;

(b) Clearly Adequate Record of Achievement: that the decision is unjustified in view of the clinical faculty member's clearly adequate record of achievement under governing standards of the department or other academic unit in question;

(c) Improper Reason: That the decision was based in part or in whole on the clinical faculty member's race, creed, color, religion, national origin, age, sex, pregnancy, disability, genetic information, status as a U.S. veteran, service in the U.S. military, sexual orientation, gender identity, associational preferences, or other characteristic that should be irrelevant to the decision, or for a reason that violates the clinical faculty member's academic freedom;

(d) Improper Procedure: that the decision was made without reasonable consultation with the faculty colleagues of the clinical faculty member as required by the University, college, or department, or in a way that violates some other established University, college, or department procedures;

(e) Unfair Impediment: that the decision was the result of a failure of the clinical faculty member to meet the requirements for promotion due to an unfair impediment for which the University or one of its officers is responsible.

(4) Ground for a Challenge to a Decision to Terminate or to Deny Subsequent Reappointment. A challenge by a clinical faculty member to a decision by the University to terminate the clinical faculty member during the term of appointment, or to deny reappointment after the clinical faculty member has received at least one successful three-year review, may be made only on the ground of Lack of Justification: that the decision is not consistent with the standards set forth under III-10.9h(1)(a) or (b).

(5) Stages in These Procedures. The stages in the procedures in a clinical faculty member's challenge to a decision by the University to terminate or to deny promotion or reappointment to the clinical faculty member are:

(a) Informal Discussions

(b) Request for a Written Statement of Reasons

(c) Investigation, hearing, and faculty judicial panel recommendation

(d) President's Decision

b. Informal Discussions. A clinical faculty member who wishes to challenge a decision by the University to terminate or to deny promotion or reappointment to the clinical faculty member may begin the challenge by attempting to settle the matter informally through discussions with the departmental executive officer, the collegiate dean, and the Academic Officer. In any such informal discussion, the clinical faculty member may be accompanied by legal counsel and/or another faculty member of his or her choice. As a part of the informal discussion stage, either party may request the services of the Office of the University Ombudsperson (see VI-2).

c. Request for a Written Statement of Reasons. Upon learning of the decision of the University to terminate or to deny promotion or reappointment to the clinical faculty member, the collegiate dean shall promptly, in writing, officially inform the clinical faculty member of the decision and of the clinical faculty member's right to challenge that decision under these regulations and shall include a copy of these regulations as part of that official information.

A clinical faculty member who wishes to pursue a challenge to a decision by the University to terminate or to deny promotion or reappointment to the clinical faculty member beyond the stage of informal discussions, whether or not such informal discussions have taken place or are continuing, must, within thirty business days of having been informed officially of the decision by the collegiate dean, request of the Academic Officer a written statement of the reasons for the decision. The Academic Officer shall inform the clinical faculty member in writing and in reasonable detail of the reason or reasons for the decision by the University, and this written statement of reasons shall be provided, ordinarily, within twenty business days of receiving the faculty member's request.

d. The Nature of the Investigation.

(1) Request for an Investigation. If the written statement of reasons does not settle the matter to the clinical faculty member's satisfaction and the clinical faculty member wishes to pursue the challenge, the clinical faculty member may request an investigation. This request must be made within twenty business days after the clinical faculty member receives the written statement of reasons. The request shall be directed to the Presiding Officer of the Faculty Judicial Commission who shall forward copies of the request to the clinical faculty member's departmental executive officer, and the Academic Officer. In the request, the clinical faculty member must attach a copy of the collegiate dean's official notice, a copy of the clinical faculty member's request for a statement of reasons, and a copy of the Academic Officer's statement of reasons and must specify the ground or grounds for the challenge with as much specificity as possible on the basis of evidence or information available to the clinical faculty member when the request is submitted.

(2) Appointment of the Panel. After the Presiding Officer receives the Request for an Investigation, the Presiding Officer shall appoint a faculty judicial panel to review and decide the case. The Presiding Officer also shall promptly notify the Investigating Officer to begin the investigation into the merits of the case.

(3) Stay of Proceedings. The Presiding Officer shall have the power to suspend the deadlines specified under this section or to stay any proceeding under this section when requested to do so in writing by either or both parties or the Ombudsperson and when, in the judgment of the Presiding Officer, the resulting delay would significantly advance the possibility of achieving an agreed-upon settlement by the parties.

(4) Submission of Preliminary Statements. The Investigating Officer shall begin the investigation by requesting each party to provide, within ten business days of the request, a Preliminary Statement which shall include the following:

(a) a statement of the issues of fact or judgment, segregated according to the applicable Ground for Challenge, that identify any point or points of disagreement between the University and the clinical faculty member;

(b) a list of the relevant non-testimonial evidence which each party seeks from the opposing party or from others not party to the dispute;

(c) copies of any relevant non-testimonial evidence in the party's possession, custody, or control; and

(d) the identity and location of witnesses each party plans to call.

(5) Obtaining the Evidence.

(a) Based on the information received under paragraph (4) above, the Investigating Officer shall obtain the relevant non-testimonial evidence requested by the parties in their Preliminary Statements. The Investigating Officer is empowered to request and to receive the cooperation of the Academic Officer, the collegiate dean, the departmental executive officer, the grieving clinical faculty member, other faculty members, and other University employees and to request and to receive from such persons all non-testimonial evidence of possible relevance to the case, including personnel records concerning teaching or professional service of other clinical faculty members. Absent a showing of particular relevance, only the personnel records of clinical faculty members, and not those of tenure-track faculty members, shall be used in cases under this Section III-29.9. Faculty members, staff, students, and officials of the University have a duty to deliver promptly any such documents, including personnel files that are requested by the Investigating Officer and otherwise to cooperate with the investigation.

(b) If the parties dispute the relevance of any document or part of a document, then the Investigating Officer shall discuss with the parties the possible resolution of the dispute and try to reach an agreement. If no agreement can be reached, then the document or part thereof in question shall be provided to the panel pursuant to the procedures under III-29.9d(11), together with each party's brief statement regarding its relevance.

(6) Distribution of Materials to the Parties. The Investigating Officer shall provide each party with a copy of the opposing party's Preliminary Statement submitted under paragraph (4) above. The Investigating Officer also shall provide the parties with a copy of all the relevant non-testimonial evidence that the Investigating Officer has obtained under paragraph (5) above.

(7) Confidentiality. During the investigation, all non-testimonial evidence obtained for a case shall be presumed to be confidential with respect to all persons who do not need to have access to the evidence in performing their duties or exercising their rights under these regulations. Prior to the beginning of a hearing or the termination of the panel's responsibilities, whichever occurs first, each party shall be afforded an opportunity to designate evidence or portions of evidence that should continue to be regarded as confidential, and this evidence shall be so marked. Neither party may disseminate or allow to be disseminated any evidence presumed or marked as confidential under this paragraph while a case is pending or after the case has been completed. Documents that were written with an explicit or implied expectation that they were confidential or would not be revealed to the faculty member shall be made available to the parties only after the name of the author or authors of the document is excised and only, to the maximum extent possible consistent with providing the substance of the contents of the document to the parties, after identifying aspects or portions of the documents have been excised.

(8) Final Statements.

(a) The parties shall submit to the Investigating Officer and to the opposing party and counsel their respective Final Statements in writing according to the schedule set forth below. In their Final Statements, the parties shall set forth their respective positions on the opposing party's Preliminary Statement and on the evidence provided by the Investigating Officer.

(b) The clinical faculty member shall submit his or her Final Statement first, within fifteen business days following his or her receipt of the non-testimonial evidence. Within fifteen business days following the University's receipt of the clinical faculty member's Final Statement, the University shall submit its Final Statement, which may respond to the arguments raised in the clinical faculty member's Final Statement.

(c) The clinical faculty member may submit a written Rebuttal to the University's Final Statement, provided that the clinical faculty member does so within ten business days following the clinical faculty member's receipt of the University's Final Statement. If submitted, the Rebuttal shall be limited to the arguments raised in the University's Final Statement.

(d) The parties may not submit any additional pre-existing evidence with their Final Statements or Rebuttal, although they may attach exhibits such as charts, tables, graphs or summaries created for purposes of these proceedings. No witness statements or affidavits may be submitted with these Final Statements or Rebuttal.

(9) Assistance to the Parties. Throughout the investigation, the Investigating Officer may meet with the parties together or separately and may assist them in complying with the requirements of paragraph (5) above, as the Investigating Officer deems appropriate. The Investigating Officer may extend deadlines for submissions by the parties (under paragraphs (4) and (8) above) when doing so, in the Investigating Officer's judgment, will expedite the case and/or improve the quality of the material presented to the panel.

(10) Report to the Panel. The Investigating Officer shall report to the panel in writing, with copies to the parties and counsel, any failure, delay or other obstruction by a party in any part of these procedures and shall indicate to the panel whether the failure, delay or obstruction appears to be justifiable. Taking into account the Investigating Officer's report concerning the failure, delay or obstruction, the panel may draw negative inferences and take appropriate action on the basis of a failure of a party to provide relevant documents or other materials or information. Excessive delays or other obstruction to providing documents or other materials or information may be treated by the panel as a failure to provide the document. The parties shall not submit any response to the report to the Panel.

(11) Distribution of Materials to the Panel. The Investigating Officer shall provide each member of the Judicial Panel with:

(a) a copy of the Preliminary Statements submitted under paragraph (4) above;

(b) a copy of the Final Statements submitted under paragraph (8) above;

(c) a copy of any item of the relevant non-testimonial evidence the Investigating Officer has obtained under paragraph (5) above which either party has referenced in its Final Statement or Rebuttal submitted under paragraph (8) above; and

(d) access to a complete copy of all the relevant non-testimonial evidence the Investigating Officer has obtained under paragraph (5) above.

(12) Conference Regarding a Hearing. After Final Statements and the Rebuttal, if any, have been submitted, the parties and their attorneys shall meet with the Investigating Officer to discuss:

(a) the desirability of a hearing before the judicial panel at which oral testimony will be taken from witnesses on one or more of the grounds, and the factual issues to be addressed by such testimony; and

(b) the desirability of oral argument by counsel or the parties to the judicial panel regarding the issues presented under one or more of the grounds and the time constraints reasonably to be imposed on such argument.

The judicial panel shall hold a hearing and/or entertain oral argument if the panel or either party desires it. The Investigating Officer, in consultation with the panel, shall impose any limitations on the factual issues to be considered in a hearing and on the time for argument to the panel.

(13) Communication between the Panel and the Parties. All communication regarding the matter in dispute by the Judicial Panel or any of its members to either party shall copy the opposing party, all counsel and the Investigating Officer. All communication regarding the matter in dispute by either party or counsel, to the Judicial Panel or to any of its members, shall be directed through the Investigating Officer, except at any hearing held in the case. This rule shall apply even if such communication is responsive to a prior communication from the Judicial Panel or any of its members.

e. The Nature of the Hearing.

(1) Open Hearing. The hearing shall be open unless:

(a) both parties request that it be closed, in which case it shall be closed; or

(b) it is necessary to close the hearing temporarily to preserve the confidentiality of documents or other matters or to protect witnesses who fear reprisals.

The decision to close the hearing for any of the reasons specified in this paragraph shall be made by the Investigating Officer in consultation with the panel. A closed hearing shall be closed to all except the panel, the parties and their counsel, the Investigating Officer, the testifying witness and the recorder of the proceedings.

(2) Recording. The hearing shall be recorded by videotape. The Investigating Officer shall ensure that the recording process maintains the confidentiality of the evidence, and that the resulting videotape is maintained in a secure manner, protecting its confidentiality. The record of the hearing may, at the discretion of the panel, exclude the discussion of procedural matters. Either party or the panel may request that the proceedings also be recorded by a stenographic reporter. The party requesting such additional recording shall bear its cost; if the panel requests it, then the Investigating Officer shall bear its cost. If either party requests a transcript, that party shall bear its cost. If the panel requests a transcript, the Investigating Officer shall bear its cost.

(3) Confidentiality. In any hearing or portion of hearing that is closed, all testimony shall be presumed to be confidential with respect to all persons who do not need to have access to that information in performing their duties.

(4) Sequestration of Witnesses. At the request of either party, witnesses shall be sequestered from the hearing prior to their testimony, unless the panel, in the interests of justice, objects to such sequestration.

(5) Rights of the Parties. Subject to the Investigating Officer's power to control the hearing, described in paragraph (6) below, the clinical faculty member may be accompanied by another faculty member of his or her choice, subject to paragraph (4) above, regarding sequestration of witnesses. In addition, the parties shall have the following rights:

(a) to decide which witnesses to call to testify on behalf of that party;

(b) to present evidence through the testimony of a party's own witnesses;

(c) to present any other relevant evidence;

(d) to cross-examine any witness called by the other party;

(e) to make an opening statement before and a closing statement after the presentation of evidence;

(f) to submit a written argument at the conclusion of the presentation of evidence;

(g) to be consulted and to present oral and/or written argument for the purpose of influencing any decision made by the Investigating Officer in the exercise of the Investigating Officer's power to control the hearing.

(6) Investigating Officer. The Investigating Officer shall have the power to control the hearing, in consultation with the panel, including but not limited to the power:

(a) to ask questions of any witness;

(b) to limit the presentation of evidence on grounds of irrelevancy or redundancy when necessary to avoid an excessively long hearing, but the investigating officer shall not exclude evidence on the basis of formal rules of evidence that would govern a judicial proceeding;

(c) to limit the length of opening and closing statements;

(d) to limit the length of any written arguments submitted;

(e) to limit the time after the conclusion of the presentation of evidence for submission of written arguments to the panel;

(f) to set the date, time, and place for conducting the hearing, including the beginning, ending, adjournments, and any reopenings, in the interest of achieving an expeditious proceeding and accommodating the convenience of the parties.

(g) to take such action as seems appropriate to preserve the confidentiality of marked documents or other confidential matters to the maximum extent possible consistent with a full opportunity of each party to present and hear relevant evidence.

(7) The Panel. The panel shall have the power to ask questions of any witness.

f. Burdens of Proof and Standards of Judgment.

(1) Denial of Promotion or Initial Reappointment. In a challenge to the University's denial of reappointment before the clinical faculty member has received a successful three-year review or to the University's denial of promotion, the Judicial Panel shall make findings of fact and shall draw conclusions based on those findings, in accordance with the burdens of proof and standards of judgment applicable to each Ground for Challenge, as set forth below.

(a) Violation of a University Obligation.

(i) In order to gain a favorable recommendation from the panel on this ground, the clinical faculty member must show, by clear and convincing evidence, that, on the basis of a written promise to the clinical faculty member by departmental executive officer, collegiate dean, or other authorized administrator of the University, the clinical faculty member was justified in believing that promotion or reappointment would be granted on the basis of the clinical faculty member's acknowledged accomplishments and that the clinical faculty member relied detrimentally on the promise. In order to rely on a written promise the clinical faculty member must either present in evidence the written document or documents upon which the claim of a violation of a University obligation is based or else justify the failure to do so. If the clinical faculty member shows only, or the panel otherwise finds, that the promise was conditional on adequate performance or some other requirement whose satisfaction is independently at issue, the panel shall not find in favor of the clinical faculty member on this ground.

(ii) If the panel finds in favor of the clinical faculty member on this ground, it shall recommend that the clinical faculty member be granted promotion or reappointment, as appropriate.

(b) Clearly Adequate Record of Achievement.

(i) In order to gain a favorable recommendation from the panel on this ground, the clinical faculty member must show, by clear and convincing evidence, that the clinical faculty member's record of achievement justifies promotion or reappointment. Thus, the panel shall sustain the challenged decision unless the panel is of a firm and definite conviction based on the clinical faculty member's record that denying the clinical faculty member such promotion or reappointment was unjustified.

(ii) The panel shall judge the merits of a claim of a Clearly Adequate Record of Achievement in the case of a promotion or reappointment decision by the relevant clearly defined written standards of the clinical faculty member's department or other academic unit that were in effect at the time of the clinical faculty member's original appointment or reappointment, unless other standards by which the clinical faculty member would be judged were stated in a written communication made to the clinical faculty member by the departmental executive officer or collegiate dean at that time. If other standards were thus communicated, they shall govern the case. The panel may take into account formulations of standards adopted later only if doing so does no harm to the clinical faculty member's case. The panel may also consider comparable decisions concerning other clinical faculty members in interpreting and applying written standards. In the absence of written standards or written communication, the panel shall deem the standards to be those that prevailed in comparable decisions concerning other clinical faculty members; or, where the clinical faculty member has made a showing of particular relevance, comparable decisions concerning tenure-track faculty members may be used.

(iii) The panel shall give great weight to the assessment of any person or persons knowledgeable in the faculty member's teaching area or comparable activity, or area of professional service, to the extent such person's knowledge is relevant to evaluating the judgments underlying the decision being reviewed.

(iv) In arriving at its finding on this ground, the panel shall consider the clinical faculty member's record as a whole, but no reasons other than those cited in the University's Written Statement of Reasons to the clinical faculty member shall be considered in dispute, all other matters being presumed to have been resolved conclusively in favor of the clinical faculty member.

(v) If the panel finds in favor of the clinical faculty member on this ground, it shall recommend that the clinical faculty member be granted promotion or reappointment, as appropriate.

(c) Improper Reason.

(i) In order to gain a favorable recommendation from the panel on this ground, the clinical faculty member must show, by a preponderance of the evidence, that the decision to deny promotion or reappointment to the clinical faculty member was substantially affected by an improper reason as defined in paragraph (ii) below.

(ii) An Improper Reason is one based in whole or in part on the clinical faculty member's race, creed, color, religion, national origin, age, sex, pregnancy, disability, genetic information, status as a U.S. veteran, service in the U.S. military, sexual orientation, gender identity, associational preferences, or other characteristic that should be irrelevant to the decision, or by a reason that violates the clinical faculty member's academic freedom.

(iii) If the panel finds in favor of the clinical faculty member on this ground, it shall recommend that a reconsideration of the original decision to deny the clinical faculty member promotion or reappointment be undertaken, starting at the lowest level at which an evaluation or recommendation or written report could have been affected by consideration of an improper reason; that the reconsideration be based upon the clinical faculty member's record as updated to the time of the reconsideration; and that an extension of the clinical faculty member's probationary appointment be granted as appropriate to make such reconsideration possible.

(d) Improper Procedure.

(i) In order to gain a favorable recommendation from the panel on this ground, the clinical faculty member initially must show, by a preponderance of the evidence, that in the actions leading to the decision by the University (to deny promotion or reappointment to the clinical faculty member), there occurred a failure to engage in reasonable faculty consultation or a significant violation of an established University procedure. The panel must find in favor of a clinical faculty member who meets this initial burden, unless the University shows, by a preponderance of the evidence, that the failure to engage in reasonable faculty consultation or the significant procedural violation could not have affected the decision.

(ii) If the panel finds in favor of the clinical faculty member on this ground, it shall recommend that a reconsideration of the original decision to deny the clinical faculty member promotion or reappointment be undertaken, starting at the lowest level at which an evaluation or recommendation or written report could have been affected by the use of improper procedures; that the reconsideration be based upon the clinical faculty member's record as updated to the time of the reconsideration; and that an extension of the clinical faculty member's probationary appointment be granted as appropriate to make possible such reconsideration.

(e) Unfair Impediment.

(i) In order to gain a favorable recommendation from the panel on this ground, the clinical faculty member must show, by a preponderance of the evidence, that an unfair impediment, for which the University or one of its officers was responsible, substantially affected the clinical faculty member's failure to meet established standards.

(ii) If the panel finds in favor of the clinical faculty member on this ground, it shall recommend that a new consideration whether to grant the clinical faculty member promotion or reappointment be undertaken, starting at the beginning of the evaluation process on the basis of the record then achieved by the clinical faculty member; and that an extension of the clinical faculty member's probationary appointment be granted as appropriate to remove the effect of the impediment.

(2) Termination or Denial of Subsequent Reappointment. In a challenge to the University's termination of a clinical faculty member during the term of appointment, or to the University's denial of reappointment after the clinical faculty member has received at least one successful three-year review, the Judicial Panel shall make findings of fact and shall draw conclusions based on those findings, in accordance with the burdens of proof and standards of judgment applicable to each Ground for Challenge, as set forth below.

(a) Lack of Justification.

(i) In order to gain a favorable recommendation from the panel on this ground, the University must show, by the preponderance of the evidence, that its termination of or decision not to reappoint the clinical faculty member was for the clinical faculty member's failure to meet applicable written standards of competence and performance; or that the decision not to reappoint was for changed economic circumstances or program needs such that the position itself is terminated, and that appropriate notice was given to the clinical faculty member.

(ii) If the panel finds in favor of the clinical faculty member on this ground in the case of termination, it shall recommend that the clinical faculty member be reinstated under the prior appointment. If the panel finds in favor of the clinical faculty member on this ground in the case of denial of reappointment, it shall recommend that the clinical faculty member be reappointed for a term no less than three years. The panel, in its discretion, may recommend reappointment for a longer term, and the panel also may recommend other actions, except for the paying of fees of counsel, that it judges to be required by the equities of the case.

g. Report of the Panel.

(1) The panel shall make its recommendations in a written report which shall be prepared and sent to the Presiding Officer as soon as possible after the conclusion of the investigation and hearing. If the panel has found in favor of the clinical faculty member, it may make, in addition to its major recommendation concerning the clinical faculty member's termination, promotion or reappointment, recommendations for other actions, except for the paying of counsel fees, that it judges to be required by the equities of the case.

(2) The report shall contain findings of fact and conclusions drawn from those findings as well as the panel's recommendation, if any. The report shall include findings of fact and conclusions drawn from those findings that resolve each and every ground raised by the clinical faculty member, even if the conclusion reached on one ground is sufficient to support the Panel's recommendation. The report shall specifically include the following:

(a) an express statement of each ground raised by the clinical faculty member, including the identity and definition of each ground specified in III-29.9a(2) and (3);

(b) an express statement of the burden of proof governing each ground raised by the clinical faculty member as specified in III-29.9f;

(c) an opinion explaining the reasons for the panel's conclusions and recommendations, if any, based on the findings of fact and the burden of proof and standard of judgment applicable to each ground raised by the clinical faculty member;

(d) in a case based in whole or part on the Clearly Adequate Record of Achievement ground, a description of any assessment by knowledgeable persons contained in the record and an explanation of the weight given to any such assessment by the panel.

(3) The report shall be written in a manner that satisfies the requirement of protecting confidentiality to the maximum extent possible as provided in III-29.4j and III-29.9d(5). In preparing its report, the panel in its discretion may seek the assistance of the Investigating Officer.

(4) If the panel has not found in favor of the clinical faculty member on any ground, the Presiding Officer shall send copies of the report only to the clinical faculty member, the departmental executive officer, the collegiate dean, the Academic Officer, the University Representative, and the Investigating Officer. The case will then be closed, subject only to a decision by the Board of Regents to grant the clinical faculty member further review.

(5) If the panel has found in favor of the clinical faculty member on any ground, the Presiding Officer shall send copies of the report to the persons named in paragraph (4) above, and also shall send a copy of the report to the President.

h. The President's Decision. If the panel has found in favor of the clinical faculty member on any ground, the President of the University shall decide whether or not the University will accept the recommendations of the panel. The President may seek advice of counsel concerning the decision, but the Office of General Counsel shall not provide that advice if it had previously advised the University Representative concerning the matter.

(1) Basis for President's Decision. The President's decision shall be based on all documents, testimony, and other matters presented to the panel. The President shall not hold a hearing, but may meet with the panel. Furthermore, either party may submit a brief to the President within ten business days of receiving notice that the

Presiding Officer has transmitted the panel's report to the President. In making the decision, the President shall give great weight to the findings and recommendations of the panel. Like the panel, the President shall be bound by the burdens of proof and standards of judgment stated in paragraph f above. It shall not be considered an acceptance by the President of the panel's recommendations for the President to order a reconsideration of the original decision to deny the clinical faculty member promotion or reappointment as the case may be unless the panel has specifically recommended that action.

(2) President Accepts All Recommendations in Favor of Clinical Faculty Member. If the President accepts all of the panel's findings and recommendations in favor of the clinical faculty member, the President shall direct that the panel's recommendations be implemented. The President shall so inform the Presiding Officer in writing, and shall send a copy thereof to the panel members. The Presiding Officer shall send copies of the President's final decision to the clinical faculty member, the departmental executive officer, the collegiate dean, the Academic Officer, the University Representative, each of the members of the panel, and the Investigating Officer. The case will then be closed.

(3) President Does Not Accept the Panel's Recommendation. If the President does not accept one or more of the recommendations of the panel, the President shall inform the panel members in writing of the reasons for not accepting the panel's recommendation and shall send a copy thereof to the faculty member, the University Representative, the Presiding Officer and the Investigating Officer. Within five days of receiving the President's decision, either party may submit a brief to the Investigating Officer for the panel's consideration. The Investigating Officer shall send copies of any brief so submitted to the opposing party, each member of the judicial panel and the Presiding Officer. The panel then shall reconsider its recommendations and shall report the result of its reconsideration to the President in a supplementary written report. The panel shall send copies of its report to the parties, the Presiding Officer and the Investigating Officer. The panel shall respond within ten business days of the date on which the panel's chair receives the President's letter or the parties' briefs, whichever is later. Within five days of receiving the panel's report, either party may submit a brief to the President, with copies to the opposing party, the Presiding Officer and the Investigating Officer. The President then shall make a final decision on the matter. In making this final decision, the President shall give great weight to the views of the panel.

(a) After Panel Reconsideration, President Decides Against Clinical Faculty Member. If, after panel reconsideration, the President decides against the clinical faculty member on all grounds, the President shall inform the panel members in writing of the final decision and of any additional reasons supporting the decision and shall send a copy thereof to the Presiding Officer. The Presiding Officer shall send copies of the President's final decision and reasons to the clinical faculty member, the departmental executive officer, the collegiate dean, the Academic Officer, the University Representative, each of the members of the panel, and the Investigating Officer. The case will then be closed, subject only to a decision by the Board of Regents to grant the clinical faculty member a request for review.

(b) After Panel Reconsideration, President Accepts At Least One, But Not All, Recommendations in Favor of Clinical Faculty Member. If, after panel reconsideration, the President accepts at least one, but not all, of the panel's recommendations in favor of the clinical faculty member, the President shall direct that those recommendations that the President accepts be implemented. The President shall inform the panel members in writing of those recommendations that the President accepts, and of those that the President does not accept, and of any additional reasons supporting the decision. The President shall send a copy of the decision to the Presiding Officer. The Presiding Officer shall send copies of the President's final decision to the clinical faculty member, the departmental executive officer, the collegiate dean, the Academic Officer, the University Representative, and the Investigating Officer. The case will then be closed, subject only to a decision by the Board of Regents to grant the clinical faculty member a request for review with regard to those recommendations not accepted by the President.

29.10 Research Ethics Violation

(8/13)

If, pursuant to the University Policy on Ethics in Research, set forth in II-27.6, a determination is made that the investigation findings warrant further action, the following procedures shall apply:

a. Executive Vice President and Provost/Academic Officer's Proposed Sanction. Any internal University sanction to be imposed shall be imposed initially by the Executive Vice President and Provost/Academic Officer. In doing so, the Executive Vice President and Provost/Academic Officer shall consider the totality of the record made in the initial inquiry conducted by the Research Integrity Officer, together with the Research Misconduct Committee written report of the findings from its own investigation. The Executive Vice President and Provost/Academic Officer shall accept the findings of the Research Misconduct Committee and shall determine an appropriate sanction to be imposed. The Executive Vice President and Provost/Academic Officer shall notify the faculty member of any sanction so determined.

b. Faculty Member's Option. The faculty member may accept or reject the proposal of the Executive Vice President and Provost/Academic Officer. If the faculty member accepts the proposal of the Executive Vice President and Provost/Academic Officer, it shall be implemented and the case shall be closed. If the faculty member rejects the proposal of the Executive Vice President and Provost/Academic Officer, then the case shall proceed to a faculty panel solely for its recommendation for any appropriate sanction to be imposed. The faculty panel shall be appointed within three days pursuant to the procedures stated under III-29.3, Faculty Judicial Commission.

c. Faculty Panel's Review. The faculty panel shall not hold an evidentiary hearing, and it shall not reconsider the Research Misconduct Committee's finding that further personnel action is warranted. Rather, the faculty panel shall be bound by the findings of the Research Misconduct Committee. The faculty panel shall consider the totality of the record made in the investigation conducted by the Research Integrity Officer, together with the Research Misconduct Committee's written report of its findings from that investigation. The faculty panel may hear argument by the accused faculty member and the Executive Vice President and Provost/Academic Officer and their respective counsel.

d. Faculty Panel's Report Recommending Sanction. The faculty panel shall present its recommendations regarding any appropriate sanction in a written report. In a case arising under II-27.6, the Policy on Ethics in Research, the Presiding Officer also shall send copies of the report to the Vice President for Research.

e. President's Review. The President shall determine what sanction, if any, the University shall impose. In no case shall the President reconsider the findings of the Research Misconduct Committee. The President's decision shall be based on: 1) the record made in the initial inquiry conducted by the Research Integrity Officer; 2) the Research Misconduct Committee's written report of its findings from its own investigation; and 3) the faculty panel's report recommending sanctions. The President shall not hold an evidentiary hearing, but may meet with the faculty panel. Furthermore, either party may submit a brief to the President within ten business days of receiving notice that the Presiding Officer has transmitted the panel's report to the President. In making the decision, the President shall be bound by the findings of the Research Misconduct Committee and shall give great weight to the recommendations of the faculty panel. The President may seek advice of legal counsel concerning the decision, and the President in consultation with the Vice President for Legal Affairs and General Counsel shall determine who shall provide that counsel.

   If the President accepts all of the faculty panel's recommendations regarding sanctions, the President shall direct that the panel's recommendations be implemented. The President shall so inform the presiding officer in writing, and shall send a copy thereof to the panel members. The presiding officer shall send copies of the President's final decision to the faculty member, the departmental executive officer, the collegiate dean, the academic officer, the University Representative, each of the members of the panel, and the investigating officer. The case will then be closed.

If the President does not accept one or more of the faculty panel's recommendations regarding sanctions, the President shall inform the panel members in writing of the reasons for not accepting such finding(s) and/or recommendation(s) and shall send a copy thereof to the faculty member, the academic officer, the presiding officer and the investigating officer. Within five days of receiving the President's decision, the faculty member and the academic officer each may submit a brief to the investigating officer for the panel's consideration. The investigating officer shall send copies of any brief so submitted to the opposing party, each member of the judicial panel and the presiding officer. The panel then shall reconsider its findings and recommendations and shall report the result of its reconsideration to the President in a supplementary written report. The panel shall send copies of its report to the parties, the presiding officer and the investigating officer. The panel shall respond within ten business days of the date on which the panel's chair receives the President's letter or the parties' briefs, whichever is later. Within five days of receiving the panel's report, the faculty member and the academic officer each may submit a brief to the President, with copies to the opposing party, the presiding officer and the investigating officer. The President then shall make a final decision on the matter. In making this final decision, the President shall give great weight to the views of the panel.

(1) President Rejects All Findings and/or Recommendations. If, after reconsideration, the President rejects all of the panel's findings and/or recommendations for sanctions, the President shall inform the panel members in writing of the final decision and of any additional reasons supporting the decision and shall send a copy thereof to the presiding officer. The presiding officer shall send copies of the President's final decision and reasons to the faculty member, the departmental executive officer, the collegiate dean, the academic officer, the University representative, each of the members of the panel, and the investigating officer. The case will then be closed, subject only to further review by the Board of Regents.

(2) After Reconsideration, President Accepts At Least One, But Not All, Finding(s) and/or Recommendation(s). If, after reconsideration, the President accepts at least one, but not all, of the panel's findings and/or recommendations for sanctions, the President shall direct that those recommendations that the President accepts be implemented. The President shall inform the panel members in writing of those findings and/or recommendations that the President accepts, and of those that the President does not accept, and of any additional reasons supporting the decision. The President shall send a copy of the decision to the presiding officer. The presiding officer shall send copies of the President's final decision to the faculty member, the departmental executive officer, the collegiate dean, the academic officer, the University representative, and the investigating officer. The case will then be closed, subject only to a decision by the Board.

f. Appeal to the Board of Regents. Any tenured faculty member terminated for unacceptable performance of duty shall have the right of appeal to the Board of Regents.

III. Human Resources

Chapter 30 – Student Employee Grievance Procedure

(Regents 6/27-28/74; amended 9/93)

a. These procedures shall apply to and be considered the right of any University of Iowa non-academic employee who:

(1) Is a student currently registered in an undergraduate, graduate, or professional program on campus; and

(2) Has no other employee grievance procedure available for use.

b. A grievance is a difference, complaint or dispute regarding the interpretation or application of established policies and/or procedures governing terms of employment, working conditions, hours of work or compensation. General wage adjustments are excluded from the grievance procedure.

c. The initiation period for a grievance must be within 21 calendar days of the date of discovery, by the employee, of the grievance, and within one year of the actual incident.

d. The employee shall have the right to be accompanied by two representatives throughout the proceedings.

e. The employee shall be allowed a reasonable time, not to exceed four hours, off from duties without loss of pay to investigate a grievance. Such time is to be scheduled with the supervisor's permission. What is a reasonable time shall be determined by mutual consent of the parties involved. If the parties are unable to agree, the time reasonably necessary to investigate the grievance should be determined by the Vice President for Student Life or designee.

f. All levels of supervisory personnel involved shall be directed to consider grievances as soon as is reasonably possible.

g. An extension of the time limits specified in the grievance procedure may be made when mutually agreed upon by the employee and the administrator to whom the grievance is being addressed.

h. The mechanism for handling grievance proceedings is as follows:

(1) Step 1. A grievance proceeding shall be commenced by the employee presenting the grievance orally to her or his immediate supervisor. Such supervisor shall make an immediate response to the grievance.

(2) Step 2. If the oral response of the immediate supervisor fails to satisfy the employee, within four working days of receipt of the immediate supervisor's oral response, the employee shall file a written grievance with the immediate supervisor. If no oral response is made, a similar writing shall be filed with the immediate supervisor within four working days of presenting the oral grievance. In either case, the writing shall set forth with reasonable particularity:

(a) The events concerning which the employee feels aggrieved;

(b) The date or dates on which the events occurred;

(c) The date of the presentation of the oral grievance to the immediate supervisor;

(d) The date of the immediate supervisor's oral response, if one was made; and

(e) The employee's understanding of the immediate supervisor's oral response, if one was made.

(f) Within four working days of receiving the written grievance, the immediate supervisor shall respond to the employee in writing stating with reasonable particularity the supervisor's understanding of the facts and of his or her oral response, if either or both differ from that of the employee. If not resolved:

(3) Step 3. The written grievance shall be sent by the employee within five working days of receipt of the supervisor's response to the department head and an administrator designated by the Vice President for Student Life. A meeting called by the administrator will then be held, if possible within five working days of receipt of the grievance or as soon thereafter as is feasible among the administrator, the department head or his/her designee, the employee and the employee's representatives, if any. A written response is required within five working days following the meeting. The response must be written by the department head in consultation with the administrator. If not resolved:

(4) Step 4. The written grievance should be forwarded by the employee within five working days of receipt of the department head's response to the Office of the Chief Human Resources Officer. Within five working days of the receipt of the written grievance, or as soon thereafter as feasible, a meeting should be called by the Chief Human Resources Officer or his or her designee of appropriate parties necessary to review the issues related to the complaint, at which the employing department and the grievant may present arguments and/or witnesses in support of their position. The final administrative determination should be made by the Chief Human Resources Officer, or designee, in consultation where appropriate with the Vice President for Student Life, to be communicated to the parties in writing within three working days of the meeting.

(See also III-31.)

III. Human Resources

Chapter 31 – Appeals by Employees to Board of Regents

(Regents 3/12-13/70; amended 9/93)

31.1 Statement of Policy; Definitions

Any staff member, including but not limited to a faculty member or other teacher, of an institution under the jurisdiction of the Board of Regents, State of Iowa (the "Board"), who feels aggrieved by any final adjudicatory order or rule-making decision made by the institution regarding his or her employment may, after exhausting all remedies within the institution, request the Board to review such final order or decision in accordance with the procedures hereinafter provided.

a. "Adjudicatory order" means all or any part of a final institutional disposition, whether affirmative, negative or declaratory in form, of any matter of particular applicability to the individual staff member regarding his or her employment.

b. "Rule-making decision" means all or any part of an institutional statement of general applicability and future effect designed to implement, interpret or prescribe institutional rules, regulations or policy regarding staff or conditions of employment.

31.2 Requests for Review

Requests for review shall be in writing and shall state the specific reasons therefor. Requests shall be submitted to the chief executive officer of the institution concerned who will forward the request, with his or her comments, to the Executive Secretary of the Board. Requests for review of a final adjudicatory order must be submitted to the chief executive officer of the institution within ten days after the staff member receives notice of the order. Requests for review of a rule-making decision may be submitted at any time after all institutional remedies have been exhausted. Supporting documents may be submitted with the request. The Executive Secretary shall docket the request for consideration by the Board as soon as practicable.

The Board may, in its discretion, grant or deny the request for review; provided, however, that on appeal from an order dismissing a faculty member with tenure, or terminating during its term the appointment of a faculty member without tenure, the Board shall grant the request for review. If the Board grants the request to review the order or decision on the merits, it will then determine whether or not to hold a hearing, as hereinafter provided, and otherwise specify the procedure to be followed. If the Board denies the request, its decision is final. (The staff member may thereafter seek judicial review as permitted by law.)

The Executive Secretary shall promptly notify the staff member and the chief executive officer of the institution by letter of the Board's decision and of the time and place of any subsequent hearing, if any.

31.3 Appeals from an Adjudicatory Order

On appeal from an adjudicatory order the Board may, in its discretion, (1) review the order on the basis of the record of the proceedings before the final appeal body of the institution; (2) remand all or any part of the order to the final appeal body of the institution for further proceedings as directed by the Board; or (3) hold an evidentiary hearing of its own on all or any part of the order. The employee may request either an open or closed hearing, but the Board shall, in its discretion and as provided by law in Chapter 21.5, *Iowa Code*, determine whether the hearing shall be open or closed. Technical rules of evidence shall not apply at any hearing, and the Board shall, in its discretion, determine the relevancy and admissibility of all evidence. If the Board decides to review the order on the basis of the record of the proceedings before the final appeal body of the institution, the institution shall within seven days of the Board's decision provide the employee with a written copy of the record of such proceedings (which may be either a verbatim transcript or a narrative summary). The employee may dispute the accuracy of all or any part of the record and, if the matter cannot be resolved to the mutual satisfaction of the employee and the institution, the Board shall determine the procedure for settling the record.

31.4 Appeals from a Rule-Making Decision

On appeal from a rule-making decision, the Board may, in its discretion, review the decision on the basis of documents and other evidence submitted by the institution and the employee, or other interested parties, or it may hold a hearing of its own, which hearing shall be open. The Board shall, in its discretion, determine: 1) the scope of inquiry at such hearing; 2) who may testify or present other evidence; and 3) otherwise determine its procedure.

31.5 Submission of Written Briefs; Right to be Heard Orally

On appeal from either an adjudicatory order or rule-making decision, any interested party may submit a written brief, and the Board may request either the employee or the institution concerned or both to submit written briefs. The Board may, in its discretion, decide the appeal on the basis of such written briefs or it may request the parties to present oral argument. Either party may request the opportunity to present oral argument but, except as hereinafter provided, shall not have a right to be heard orally. The employee may be represented at any hearing or argument by legal counsel or other adviser. On appeal from an order dismissing a faculty member with tenure, or terminating during its term the appointment of a faculty member without tenure, the faculty member shall, on request, have a right to be heard orally.

31.6 Board Decision

Upon review on the merits, the Board may affirm, modify, remand, or reverse all or any part of the order or decision of the institution and may, based upon either the record or any evidentiary hearing, make independent findings of fact and conclusions on appeal from an adjudicatory order. The Board may, in its discretion, accompany its decision with a written opinion. The decision of the Board on the merits is final. (The employee may thereafter seek judicial review as permitted by law.)

(See also II-29 Hearing Regulations for Alleged Violations of Regents Rules; VI-2 Office of the University Ombudsperson; IAC Ch. 3, Ch. 11, and Ch. 12.)

III. Human Resources

Chapter 32 – Visitors in the Workplace

(12/02)

32.1 General

University employees should exercise supervision over visitors who enter their workplace to ensure personal safety and minimize disruption of work-related activities.

32.2 Definitions

a. "Visitor" includes personal visitors, such as family members, as well as students, patients, customers, vendors, or professional colleagues.

b. "Workplace" refers to all University facilities that may be used as laboratories, studios, classrooms, hospitals and clinics, or offices, as well as any other spaces used in carrying out the University's threefold mission of teaching, research, and service.

c. "Personal safety hazards" that may exist in University workplaces include both physical and material hazards (chemical, radioactive, and/or biological) related to the functions of the various working environments at the University.

32.3 Responsibility for Policy and Procedures

a. University units are responsible for developing and implementing appropriate and reasonable restrictions on visitor access insofar as it is necessary to:

(1) Protect the health and safety of occupants and of visitors to University workplaces.

(2) Protect the confidentiality of data and information that may relate to students, patients, employees, and others served by the University community.

(3) Minimize activity that might detract from the productivity and effectiveness of University faculty and staff in the workplace.

(4) Maintain the security of University property and resources.

b. Such restrictions may provide for limitations on access, frequency, and duration of visits and must provide for appropriate supervision of all workplace visitors. Some visitors may require close and ongoing supervision, particularly in areas with known hazards. Unit-based policies may vary in the degree of restriction due to the nature of the local workplace, but will consistently maintain the protections specified above.

For example, visitors should not be brought to areas in which hazardous equipment, materials, or activities are present (e.g., laboratories, studios), except for conducting University business and only when utilizing appropriate safety precautions. Colleagues, prospective students, and students from primary and secondary schools may enter these areas as part of educational programs or for academic, scholarly, artistic, or research purposes; however, they must be fully supervised during their visit. Full supervision of visitors in areas with known hazards requires the undivided attention of the supervisor(s) to the visitor(s), and visits should be limited in frequency and duration.

Visitors brought into areas that do not normally entail hazards beyond those usually encountered in public spaces (e.g., administrative offices, libraries, lecture classrooms) should be supervised at a level that is necessary and sufficient to ensure both the safety of the occupants and visitor(s). Even these visits should be limited insofar as it is necessary to assure that the quality and quantity of work being carried out by all employees and students in the area are not compromised, and that the quality and integrity of all University data, services, and resources are maintained.

Questions or concerns regarding specific visitors and/or the applications of the policy should be directed to the administrative official responsible for the unit.

III. Human Resources

Chapter 33 – Personal Protective Equipment

(President 3/12/75; amended 9/93; 9/98; 6/01; 7/1/08; 3/10)

33.1 General Application

a. University departments purchase and issue, to permanent staff, safety equipment required under the Iowa Occupational Safety and Health Act of 1972. The equipment is ordered by means of special requisition.

b. Certain personnel, such as part-time temporary, who are required to use personal protective equipment (PPE) are issued toe caps, goggles, and ear protection, and are required to use such PPE as a condition of employment.

33.2 Environmental Health & Safety Guidance on Personal Protective Equipment Use

a. The Environmental Health & Safety (EHS) director, with advice from EHS staff, provides guidance regarding general policy for the use of PPE.

b. EHS staff members provide guidance and assistance to central Human Resources and departments on campus by identifying individuals in various work tasks to be protected by safety glasses, safety footwear, body protection apparel, gloves, respirators, etc. EHS staff members also provide guidance to departments that are required to meet the various aspects of the IOSH (Iowa Occupational Safety and Health) Personal Protective Standard.

EHS staff members assist departments in determining which staff require the use of PPE in the performance of their duties.

33.3 Duties of Departmental Executives

a. Departments supply PPE to staff members identified as needing protection.

b. Departments inform staff that the use of PPE, once issued, is required whenever the individual's supervisor so indicates. If the required PPE is not being worn due to damage or inadvertence, the individual will be issued appropriate temporary equipment.

c. Departments are responsible for the recovery of all items of PPE, except shoes and prescription glasses, from staff members who resign or transfer to a job which does not require such equipment.

d. Enforcement of rules requiring the wearing of PPE is the responsibility of the department.

33.4 Personal Protective Equipment Specifics

(President 3/8/76)

a. Shoes — Safety shoes, as authorized by the employing department, will be provided as needed to staff members required to wear them. Each department is responsible for determining the style of shoe that is to be worn by its employees. Staff members are responsible for maintaining shoes, including the cost of minor repairs.

In the event the department determines that special shoe protection is necessary or special shoes are required to meet operational demands, said equipment will be furnished by the department at no cost to the staff member. Each department is responsible for procuring safety shoes from outside vendors for staff members required to wear safety shoes. Shoes maybe purchased with a departmental procurement card or purchase order, or the department may reimburse the staff member for shoes purchased directly.

b. Safety Glasses — One pair of safety glasses is provided at the department's expense to those staff members needing them. If breakage or damage occurs to the glasses and the damage is an on-the-job incident, the department covers the cost of repair. Cost to repair damage to glasses unrelated to employment is the responsibility of the individual. Safety glasses are purchased through UI Optical with an interdepartmental requisition.

Cost of eye examinations for those needing prescription safety glasses is the responsibility of the staff member. Those who have had a recent examination should obtain a copy of the prescription which will be used for providing safety glasses. Those whose most recent prescription is twelve months old or older are encouraged to update the prescription prior to receiving safety glasses.

The department pays for replacement of safety lenses due to prescription change.

c. All other items of safety equipment issued except shoes and prescription glasses are the department's property and are replaced on an as-needed basis. Staff members are responsible for those items. If any items are lost or damaged through individual neglect, the staff member is required to pay the cost of replacement.

d. Staff members interested in obtaining additional pairs of safety shoes, glasses, or other equipment items are permitted to buy them at their expense.

e. Departments inform staff members that the use of PPE, once issued, is required whenever the individual's supervisor so indicates. If the required PPE is not being worn due to damage or inadvertence, the staff member will be issued appropriate temporary equipment.

f. Staff members must use only PPE that is purchased through the University or the employing department, and that is approved by the department for a specific use.

(See also https://ehs.research.uiowa.edu/occupational-safety.)

III. Human Resources

Chapter 34 – Accidents

(Amended 7/95; 9/97; 2/99; 7/02; 7/07; 8/12; 4/13)

34.1 General

The following instructions set forth University procedures for handling cases in accordance with the Iowa Workers' Compensation Law.

34.2 Procedures

(Amended 7/02; 7/07; 8/12; 4/13)

a. The injured staff member should report immediately to his or her supervisor; or, in the case of an emergency, go directly to the emergency room at The University of Iowa Hospitals and Clinics. University employees are required to use the UI Occupational Health Clinic in North Liberty for treatment of non-emergency work-related injuries and illnesses. As soon as possible after the injury, the staff member should communicate the information regarding the injury to his or her supervisor, or, if unable to do so, request that hospital authorities relate such information.

b. A First Report of Injury (FROI) should be completed by the employee or by the employee's supervisor at HR Employee Self Service within 24 hours of the illness or injury. It is the obligation of the supervisor or a departmental designee to promptly notify the Benefits Office when the injured employee is missing time from work because of the injury. The UI Occupational Health Clinic will not do this, and Patient Status Reports alone are not sufficient notification. Any change in missed-time status, such as return to restricted work duties or a return to full duties, should be reported to the Benefits Office as well.

c. Injuries are reported by the University Benefits Office to the Workers Compensation Administrator, who determines whether an injury is compensable. If the injury is compensable:

(1) Any necessary and authorized hospital and medical services incurred in connection with the injury are provided. Subsequent changes in hospital or medical services may be requested through the University Benefits Office, but must have authorization by the Workers Compensation Administrator. Increased expenses following such changes are limited to the amounts approved.

(2) The injured staff member receives compensation as determined in accordance with the Iowa Workers' Compensation Act; and upon receipt of information that an occupational injury or illness will result in a staff member being unable to work for three or more days, the University Benefits Office will inform the staff member of the different options available with which to be compensated. At this time, a decision will be made in writing by the staff member and this decision will remain unchanged for the time missed due to this injury or illness.

The different options with which to be compensated are:

(a) Workers' Compensation Only: The faculty or staff member will receive approximately two-thirds of salary from Workers' Compensation, none of which is taxable; no hours of sick leave/vacation are used; no retirement benefits accrue for these days.

(b) Workers' Compensation Supplemented with Sick Leave/Vacation: The faculty or staff member will receive approximately two-thirds of salary from Workers' Compensation and one-third from the University which is charged to sick leave/vacation usage; only the University portion is subject to taxes. Under this option, the amount of the Workers' Compensation benefits paid to the staff member will be reduced from subsequent pay checks in order to reimburse the University for the salary advanced which has exceeded the current salary rate. In the event the individual is no longer in pay status, it will be necessary for the individual to reimburse the University for any overpayments received.

d. In no case during the period of disability shall total payments exceed the staff member's current salary rate.

e. The University Benefits Office keeps a record and file on each case reported and furnishes such doctor and hospital reports as may be required.

f. Before returning to work, the staff member shall provide a statement to his or her department from the appropriate medical authority releasing that individual to return to work. In order to prevent an overpayment of benefits, the department must notify the University Benefits Office immediately upon the staff member's return to work.

(See also II-22 Extreme Weather Protocol; II-12 Drug Free Environment; II-26 University Employee Health Clinic; II-25 Health Protection Office.)

III. Human Resources

Chapter 35 – Staff Suggestions

(Amended 6/14)

35.1 General

The term "suggestion" as used in this section refers to any proposals made by staff members to enhance the efficiency and/or effectiveness of the University in fulfilling its mission and strategic objectives. Many suggestions may be presented informally to one's supervisor. Suggestions also may be submitted through a system maintained by University Human Resources.

35.2 Formal Suggestion Procedures

a. Staff members may submit their suggestions to their immediate supervisors. If the supervisor fails to respond to the suggestion, the staff member may then present his or her suggestion to the next ranking supervisor.

b. Staff members may also submit their suggestions through a system maintained by University Human Resources; please refer to Organizational Effectiveness and UI Smart.

See also the Organizational Effectiveness website.

III. Human Resources

Chapter 36 – Use of Faculty/Staff Identification Card

(Amended 5/99; 3/02; 10/06)

36.1 Issued

(Amended 3/02; 10/06)

a. All faculty and staff appointed to the University budget regardless of length of appointment, fraction of full time, or amount of salary, except for those persons classified as being primarily students at The University of Iowa, are eligible to receive a faculty/staff identification (ID) card from University ID Card Services. Individuals must display a form of official government-issued photo identification such as driver's license, passport, or military ID to obtain a faculty/staff ID card.

(1) The ID card and photo is the property of The University of Iowa and is nontransferable.

(2) The ID card displays a color photo of the faculty or staff member, his or her full name, and the status "faculty/staff." The ID card photos are digitized and electronically stored and secured. The University retains full rights to these photos. The sole purpose of the ID card photos is for creating identification badges or cards. University ID Card Services will not release the photo unless required by law, except for public safety function

(3) The employing unit may require a faculty or staff member to return his or her ID card upon the termination of employment at the University.

(4) Retirees may continue to use their faculty/staff ID cards. UIHC retired faculty and staff may obtain a faculty/staff photo ID card from University ID Card Services after turning in their UIHC badge.

b. The University of Iowa Hospitals and Clinics shall issue a hospital-specific identification card to faculty, staff, and students who are assigned primarily to the UIHC, following the guidelines herein. Hospital-specific ID cards must be returned upon termination of employment.

c. Under no circumstances shall a student, faculty member, or staff member be permitted to wear any type of face covering, including, but not limited to, veils, masks, or sunglasses, that covers any part of the face, during the photographing for an ID card. Head coverings are allowed if dictated by generally acknowledged religious traditions, customs, or beliefs, or for medical reasons and if said coverings do not obscure the face.

d. University ID Card Services is not liable for financial loss or criminal repercussions associated with lost, stolen, damaged, or fraudulently used cards distributed from University ID Card Services.

36.2 University of Iowa Faculty/Staff ID Card Benefits

(Amended 10/06)

The University ID card is the official identification card of The University of Iowa. Uses for the ID card include door access to facilities, residence hall meal plans, purchases at the University Book Store, library services, IMU food service purchases, and other academic and business services across campus.

36.3 University of Iowa Faculty/Staff ID Card Revocation

(10/06)

Misuse of an ID card, including presenting another person's card as one's own, falsification of information to obtain an ID card, alteration of the picture or information printed or encoded on the card, and/or falsification of records that served as the basis for issuance of the ID card, may result in revocation of the ID card and/or disciplinary action, up to and including criminal prosecution, as appropriate under the circumstances and based on the relationship of the card holder to the University.

36.4 University of Iowa Faculty/Staff Spouse/Partner Identification Card

(Amended 5/99; 10/06)

Employees may obtain an identification card for their spouse/domestic partner. The faculty/staff spouse/partner ID card for users of recreational facilities and programs will allow the spouse/domestic partner the same reduced rates for services from the Recreation Department as an employee faculty/staff ID. In addition, the spouse/domestic partner may use the ID card to obtain a hard library card for the University's libraries.

Spouse/partner identification cards are issued by the Payroll Department.

(See also II-30 Housing.)

III. Human Resources

Chapter 37 – Access to Medical and Exposure Records

(12/06; 7/1/08; 9/11; 9/12)

In compliance with Iowa law, which incorporates by reference the Federal Occupational Safety and Health Administration (OSHA), 29 CFR 1910.1020, The University of Iowa is required to provide employees access to their workplace exposure and medical records maintained by the University. Exposure monitoring records are maintained primarily by University Environmental Health & Safety (EHS) and by Safety and Security at University of Iowa Hospitals and Clinics (UIHC). Examples of exposure records include radiation monitoring data for those who work with radioactive materials, noise, or toxic air contaminants. Contact EHS directly for radiation dosimeter records. Employee medical records, i.e., those for treatment of workplace injuries or illnesses, are kept at the Health Information Management Office, UI Occupational Health Clinic, and the University Employee Health Clinic. The program of Hospital Epidemiology maintains exposure records for communicable diseases. To access these records, contact UI Health Care Human Resources for hospital employees and the University's Employee and Labor Relations Office in Human Resources for all other University employees.

III. Human Resources

Chapter 38 – Taxation of Gifts, Prizes, and Awards to Employees
(10/13; 2/15; 7/1/17)

38.1 General
(Amended 7/1/17)

As with all purchases utilizing University funds, expenditures for awards, gifts, and celebrations must be in accordance with federal and state laws, grant restrictions, and University policies and procedures. Departments must be aware of tax implications and limitations before awarding employees.

38.2 Cash Awards and Gift Certificates
(Amended 7/1/17)

Employees who handle cash and gift certificates must follow UI cash handling procedures. See https://afr.fo.uiowa.edu/cash-handling.

a. Cash awards. University-funded cash awards to employees constitute gross wages and are subject to payroll tax withholding. Procedures:

(1) Professional and scientific staff, merit staff, and faculty who are rewarded for extra-meritorious performance must be awarded through the HR Transaction System using the appropriate special compensation form type.

(2) Cash awards to student employees must be processed through MAUI Scholarship Workflow.

b. Gift certificates. Gift certificates, including gift cards, gift vouchers, etc., are considered cash equivalents by the IRS and, therefore, are treated as cash payments.

Gift certificates may not be given to employees to reward performance unless they are given under a University-wide sanctioned award program. See procedures for rewarding performance under III-38.2a (cash awards).

Gift certificates given as research subject compensation do not fall under this Policy on Taxation of Gifts, Prizes, and Awards to Employees. They are included in the Research Subject Compensation Policy and Procedures. See https://gao.fo.uiowa.edu/grant-and-contract-management/general-administration/research-subject-compensation-policy-procedures.

(1) Gift certificate limitations:

(a) The cumulative value of all gift certificates given to a single employee must not exceed $100 within a calendar year.

(b) University-affiliated and nonprofit organizations are preferred vendors for gift certificates.

(c) Gift certificates should not be used to recognize employees' personal events, such as births, weddings, birthdays, or holidays.

(2) Procedures:

(a) All gift certificates to University employees, regardless of the amount, must be reported to University Payroll annually.

(b) To facilitate the reconciliation of the number and value of the gift cards on hand:

(i) Departments must maintain a log and record, at a minimum, the date, name of vendor, and number of gift certificates purchased by certificate amount.

(ii) Departments must maintain a list of gift certificates given to employees, including gift date, purpose of gift, certificate amount, employee name, and University ID.

(iii) Departments must submit the list as an Excel file to University Payroll by November 15 for awards given from November 16 of the previous year to November 15 of the current year.

(iv) Gift certificates to employees who are leaving the University must be reported to University Payroll as soon as the gift certificate is awarded so appropriate payroll tax withholding can occur.

c. Non-cash awards. Non-cash awards (tangible personal property) given to employees are subject to taxation unless the annual value of all non-cash awards is less than $100 (amount considered de minimis) or the non-cash award meets one of the exceptions indicated in III-38.3. Procedures:

(1) Departments must track the value of all non-cash awards provided to employees.

(2) If the annual cumulative value of non-cash awards for an employee exceeds $100, departments must submit the entire list of all non-cash awards (not just the amount exceeding $100) as an Excel file to University Payroll by November 15 for awards given from November 16 of the previous year to November 15 of the current year. (Note: 100 percent of the value of the gift is taxable, not the amount in excess of $100.)

(3) If the annual cumulative value of non-cash awards to a terminating employee exceeds $100, departments must submit the information to University Payroll as soon as possible so appropriate payroll tax withholding can occur.

38.3 Exceptions for Length-of-Service, Retirement, and Safety Awards
(Amended 2/15)

a. Length-of-service and retirement awards. A non-cash length-of-service award or a retirement award may qualify as a non-taxable benefit provided all of the following requirements are met:

(1) the employee has at least five years of service with the University,

(2) the employee has not received a length-of-service award within the last five years other than a de minimis non-cash award valued at less than $100, and

(3) the awards are presented as part of a meaningful ceremony and should not be determined based on an employee's classification.

The amount of the award should be reasonable and in no instance should it exceed $1,600.

b. Safety achievement award. Safety achievement awards that recognize an employee's accomplishments for maintaining or promoting defined safety standards may qualify for exclusion from taxation provided all of the following requirements are met:

(1) the award is limited annually to less than 10 percent of total eligible employees,

(2) the award is not presented to managers, administrators, clerical, or professional employees, and

(3) the awards are presented as part of a meaningful ceremony.

38.4 Appropriate Funding Sources

Appropriate funding sources. Funding for gifts, prizes, and awards should be evaluated based on the department's current budget, the type of expenditure, and justification for the purchase. Non-general education fund resources are preferable, and departments should refer to Sponsoring Agency restrictions to ensure it is allocable and allowable before funding from grant sources.

IV. Students

Chapter 1 – General Regulations Applying to Students

(Amended 9/93; 10/94; 7/95; 9/98; 8/12/10; 5/15)

1.1 Student Rules and Regulations

(Amended 8/12/10; 5/15)

As expressed in the IOWA Challenge, University of Iowa students are called to excel academically, stretch to embrace diversity, engage in positive student life and leadership, choose a healthy lifestyle, and serve the community.

In order to maintain a safe campus where students can meet the IOWA Challenge, The University of Iowa has adopted the Code of Student Life. The Code of Student Life sets forth standards of student behavior and conduct necessary for the maintenance of a campus where ideas are freely exchanged, University property and processes are safeguarded, and conflicts are peacefully resolved. Each University of Iowa student has an obligation to know and adhere to the Code of Student Life, and each University of Iowa student shall be conclusively presumed to have knowledge of the contents of the Code of Student Life from the date of the student's initial registration at the University.

Pursuant to *Iowa Administrative Code* [681]12.2(262), the President is the Chief Administrative Officer for The University of Iowa. The President has nominated, and the Board of Regents has appointed, a Vice President for Student Life with overall responsibility for student-related matters, including but not limited to student conduct and discipline. The Vice President for Student Life has, in turn, delegated considerable authority for the establishment of rules and handling of violations to the Dean of Students. The Dean of Students has also granted some discretion for establishing rules and handling certain rule violations to the professional staff of University Housing and Dining.

University of Iowa students are responsible for knowing and abiding by the rules and regulations set forth in the current version of the Policies and Regulations Affecting Students available from the Office of the Dean of Students. Students should be particularly aware of the Code of Student Life and the Student Judicial Procedure, both of which are frequently referenced in this *Operations Manual*.

Students should also be aware of the Board of Regents Uniform Rules of Personal Conduct in the *Iowa Administrative Code* [681]9.1(262).

1.2 Indebtedness

Any student who is financially indebted to the University after the date specified on each monthly bill, will be considered delinquent and may have his or her registration and privileges restricted. A student who has an unsettled financial indebtedness to the University may not register for classes unless permission is granted by the Financial Delinquency Committee. Credentialing documents may be withheld during the period in which the indebtedness remains unsettled.

IV. Students

Chapter 2 – Sexual Misconduct, Dating/Domestic Violence, or Stalking Involving Students

(President 12/08; amended 4/09; 8/10; 8/13; 10/1/14; 7/15)

Students who may be victims of sexual misconduct, dating/domestic violence, or stalking:

If you or someone you know may be a victim of sexual assault, sexual harassment, dating/domestic violence, stalking, or any other behaviors prohibited under this policy, you are strongly encouraged to seek assistance and support. Assistance is available 24 hours a day, 7 days a week, from:

- Rape Victim Advocacy Program (RVAP) — confidential, certified victim advocacy services, 319-335-6000
- Domestic Violence Intervention Program (DVIP) — confidential, certified victim advocacy services, 319-351-1043 or 800-373-1043
- Emergency Department, University of Iowa Hospitals and Clinics — confidential medical services, 319-356-2233
- University of Iowa Department of Public Safety — law enforcement services, 319-335-5022, or 911 from any campus phone

During business hours, you may also seek assistance from the University of Iowa Office of the Sexual Misconduct Response Coordinator, 319-335-6200.

2.1 Introduction

(Amended 7/15)

The University of Iowa strives to create a respectful, safe, and nonthreatening environment for its students, faculty, staff, and lawful visitors. This policy sets forth resources available to students, describes prohibited student conduct, and establishes procedures for responding to sexual misconduct, dating/domestic violence, stalking, and other unwelcome sexual behavior.

A student who is under the influence of alcohol or drugs at the time of an incident should not be reluctant to seek assistance for that reason. The Dean of Students will not pursue disciplinary violations against a student (or against a witness) for his or her improper use of alcohol or drugs (e.g., underage drinking) if the student is making a good faith report of sexual misconduct, dating/domestic violence, or stalking. In addition, the law enforcement authorities in Johnson County have a policy of not pursuing charges for improper use of alcohol or drugs against a victim of sexual assault.

Assistance in reporting any form of misconduct to the proper law enforcement authorities is available to any student upon request from a certified victim advocate at the Rape Victim Advocacy Program (RVAP), the Domestic Violence Intervention Program (DVIP), or from the Office of the Sexual Misconduct Response Coordinator.

2.2 General Statement of Policy

(Amended 7/15)

The University of Iowa prohibits sexual misconduct, dating/domestic violence, and stalking in any form, including sexual assault or sexual harassment, and any form of nonconsensual sexual conduct. Students should be able to live, study, and work in an environment free from all forms of sexual misconduct, dating/domestic violence, and stalking.

Sexual misconduct is a broad term encompassing any unwelcome behavior of a sexual nature that is committed without consent or by force, intimidation, threats, coercion, or manipulation. The term includes sexual assault, sexual harassment, sexual exploitation, and sexual intimidation. Sexual misconduct can be committed by a person of any gender, and it can occur between people of the same or different gender.

Domestic/dating violence is coercive, abusive, and/or threatening behavior toward a current or former intimate or romantic partner.

Stalking is a course of conduct directed at a specific person that would cause a reasonable person to feel fear.

Any act that falls within the definition of sexual misconduct, dating/domestic violence, or stalking constitutes a violation of University policy. The University is committed to fostering a campus environment that both promotes and expedites prompt reporting of misconduct and timely and fair adjudication of cases. The University's procedures are designed to protect the rights, needs, and privacy of the student making a University complaint, as well as those of students accused of misconduct. The University also adheres to all federal, state, and local requirements for intervention, crime reporting, and privacy provisions related to sexual misconduct, dating/domestic violence, and stalking.

The University will make this policy and educational opportunities readily available to all students and other members of the University community. By engaging as active bystanders, all members of the University contribute to a respectful, safe, and nonthreatening environment.

The University of Iowa will make every effort to respect the privacy of students who seek help and/or report misconduct. The University will weigh requests for no action with its responsibility to protect the community and adhere to federal guidelines that mandate the University's action. While steps are taken to protect the privacy of victims, the University may need to investigate an incident and take action once an allegation is known, whether or not the student chooses to pursue a complaint.

Reports of sexual misconduct involving University students, faculty, staff, or any third party should be made to the Office of the Sexual Misconduct Response Coordinator at 319-335-6200. An academic or administrative officer, as defined in the University's Sexual Harassment policy (see II-4.1b(3)) must report any known sexual misconduct, dating/domestic violence, or stalking report involving a student to the Office of the Sexual Misconduct Response Coordinator. No employee is authorized to investigate or resolve student complaints without the involvement of the Office of the Sexual Misconduct Response Coordinator.

In addition to violating University policy, sexual misconduct, dating/domestic violence, or stalking might also constitute criminal activity. **Students are strongly encouraged to inform law enforcement authorities about instances of misconduct. The chances of a successful criminal investigation are greatly enhanced if evidence is collected and maintained immediately by law enforcement officers.** Students may inform law enforcement authorities about sexual misconduct or stalking and discuss the matter with a law enforcement officer without making a criminal complaint. However, in cases of domestic violence, law enforcement officers are mandated to make an arrest of the primary physical aggressor when there is evidence of an assault and a physical injury has occurred.

2.3 Definitions and Examples of Sexual Misconduct

(Amended 7/15)

a. "Sexual misconduct" general definition. Sexual misconduct is a broad term encompassing any unwelcome behavior of a sexual nature that is committed without consent or by force, intimidation, coercion, or manipulation. Sexual misconduct can be committed by a person of any gender, and it can occur between people of the same or different gender.

b. Examples of sexual misconduct. Sexual misconduct may vary in its severity and consists of a range of behavior or attempted behavior. It can occur between strangers or

acquaintances, including people involved in an intimate or sexual relationship.

Sexual misconduct includes, but is not limited to, the following examples of prohibited conduct as further defined below:

(1) sexual assault (paragraph e below);

(2) sexual harassment (paragraph f below);

(3) sexual exploitation (paragraph g below);

(4) sexual intimidation (paragraph h below).

c. "Consent" definition. For purposes of this policy, consent is a freely and affirmatively communicated willingness to participate in particular sexual activity or behavior, expressed either by words or clear, unambiguous actions.

(1) It is the responsibility of the person who wants to engage in the sexual activity to ensure that consent is obtained from the other person to engage in the activity.

(2) Lack of protest or resistance does not mean consent, nor does silence mean consent. For that reason, relying solely on nonverbal communication can lead to misunderstanding.

(3) The existence of a dating relationship between the persons involved or the fact of a past sexual relationship does not imply consent to future sexual acts.

(4) Consent must be present throughout the sexual activity — at any time, a participant can communicate a desire to no longer consent to continuing the activity.

(5) Consent to one form of sexual activity does not imply consent to other forms of sexual activity.

(6) If there is confusion as to whether anyone has consented or continues to consent to sexual activity, the participants must stop the activity until each consents to it.

(7) Consent is not procured by the use of physical force, compelling threats, intimidating behavior, or coercion.

(8) Persons who are unable to give consent. In addition, under University of Iowa policy the following persons are unable to give consent:

(a) persons who are asleep, unconscious, or involuntarily restrained physically;

(b) persons who are incapacitated due to the influence of drugs, alcohol, or medication;

(c) persons who are unable to communicate consent due to a mental or physical condition;

(d) persons who are not of legal age according to *Iowa Code*  Chapter 709.

d. Relation to criminal law and other University policy. In addition to being forbidden by this policy, sexual misconduct may be a violation of state criminal law and of other University policies, including the University's general policy against violence (see II-10 Violence).

e. "Sexual assault" definition. Sexual assault is a form of sexual misconduct and represents a continuum of conduct from forcible intercourse to nonphysical forms of pressure that compel individuals to engage in sexual activity against their will.

Examples of sexual assault under this policy include, but are not limited to, the following behaviors, however slight, when consent is not present:

(1) sexual intercourse (anal, oral, or vaginal). Intercourse, however slight, meaning vaginal penetration by a penis, object, tongue, or finger; anal penetration by a penis, object, tongue, or finger; or oral copulation (mouth to genital contact or genital to mouth contact);

(2) attempted sexual intercourse (anal, oral, or vaginal);

(3) intentional contact with the breasts, buttocks, groin, or genitals, or touching another with any of these body parts, or making another touch you or themselves with or on any of these body parts;

(4) any other intentional unwanted bodily contact of a sexual nature;

(5) use of coercion, manipulation, or force to make someone else engage in sexual touching, including breasts, chest, and buttocks.

f. "Sexual harassment" definition. Sexual harassment is a form of discrimination that includes verbal, written, or physical behavior of a sexual nature, directed at an individual, or against a particular group, because of that person's or group's gender, or based on gender stereotypes or manifestation, when that behavior is unwelcome and meets either of the following criteria:

(1) Submission or consent to the behavior is believed to carry consequences for another person's education, employment, on-campus living environment, or participation in a University program or activity. Examples of this type of sexual harassment include:

(a) pressuring a student to engage in sexual behavior for some educational or employment benefit; or

(b) making a real or perceived threat that rejecting sexual behavior will carry a negative consequence for the student in education, on-campus residence, or University program or activity.

(2) The behavior has the effect of limiting or denying another person's work or educational performance or creating an intimidating, hostile, or demeaning environment for employment, education, on-campus living, or participation in a University program or activity. Examples of this type of sexual harassment can include:

(a) persistent unwelcomed efforts to develop a romantic or sexual relationship;

(b) unwelcome commentary about an individual's body or sexual activities;

(c) repeated unwanted sexual attention;

(d) repeated and unwelcome sexually oriented teasing, joking, or flirting;

(e) verbal abuse of a sexual nature.

Comments or communications could be verbal, written, or electronic. Behavior does not need to be directed at or to a specific student, but rather may be generalized unwelcomed and unnecessary comments based on sex or gender stereotypes.

Determination of whether alleged conduct constitutes sexual harassment requires consideration of all the circumstances, including the context in which the alleged incidents occurred.

g. "Sexual exploitation" definition. Sexual exploitation involves taking nonconsensual, unjust, or abusive sexual advantage of another person. Examples can include, but are not limited to the following behaviors:

(1) electronically recording, photographing, or transmitting intimate or sexual utterances, sounds, or images without the knowledge and consent of all parties involved;

(2) voyeurism (spying on others who are in intimate or sexual situations);

(3) distributing intimate or sexual information about another person without that person's consent;

(4) prostituting or trafficking another person.

h. "Sexual intimidation" definition. Sexual intimidation involves:

(1) threatening another person that you will commit a sex act against them; or

(2) engaging in indecent exposure.

2.4 Definitions and Examples of Dating/Domestic Violence

(7/15)

Domestic/dating violence is coercive, abusive, and/or threatening behavior toward a current or former intimate or romantic partner. These behaviors may include physical, sexual, emotional, economic, or psychological actions or threats of actions that intimidate, manipulate, humiliate, isolate, frighten, terrorize, coerce, threaten, or injure the victim/survivor.

2.5 Definitions and Examples of Stalking

(7/15)

Stalking is a course of conduct directed at a specific person that would cause a reasonable person to feel fear.

Examples of prohibited stalking can include but are not limited to:

a. Nonconsensual repeated communication including in-person communication, telephone calls, voice messages, text messages, email messages, social networking site postings, instant messages, postings of pictures or information on websites, written letters, gifts, ordering goods or services, or any other communications that are undesired;

b. Following, pursuing, waiting, or showing up uninvited at a workplace, place of residence, classroom, or other locations frequented by a recipient of unwelcome conduct;

c. Monitoring online activities, surveillance, and other types of observation, whether by physical proximity or electronic means, attempting to gather information about the recipient of unwelcome conduct;

d. Vandalism, including attacks on data and equipment;

e. Direct physical and/or verbal threats against a recipient of unwelcome conduct or loved ones of a recipient of unwelcome conduct, including animal abuse;

f. Gathering of information about a recipient of unwelcome conduct from family, friends, coworkers, and/or classmates;

g. Manipulative and controlling behaviors such as threats to harm oneself, or threats to harm someone close to the recipient of unwelcome conduct;

h. Defamation or slander against the recipient of unwelcome conduct; posting false information about the recipient of unwelcome conduct; posing as the complainant in order to post to websites, news groups, blogs, or other sites that allow public contributions; and/or encouraging others to harass the recipient of unwelcome conduct;

i. Posing as someone other than oneself to initiate transactions, financial credit, loans, or other contractual agreements;

j. Arranging to meet the recipient of unwelcome conduct under false pretenses.

2.6 Resources and Support for Victims/Survivors

(Amended 7/15)

Persons who experience misconduct may respond to the experience in many different ways, including feeling confused, vulnerable, out of control, embarrassed, angry, distrustful, stressed, or depressed. The University provides a variety of resources to assist students with healing, safety planning, reviewing complaint options, and securing long-term support.

a. Confidential assistance and advocacy for students who have experienced sexual misconduct or other unwelcome sexual behavior, dating/domestic violence, and/or stalking:

A student may receive 24-hour assistance from a certified victim advocate by calling the Rape Victim Advocacy Program (RVAP) at 319-335-6000 or the Domestic Violence Intervention Program (DVIP) at 800-373-1043. Certified victim advocates are trained to confidentially answer questions, provide information about options, and help with safety planning. They may accompany and provide support to a student during a medical, legal, or student judicial meeting. The University encourages all students who believe they may have been victims of misconduct to contact RVAP or DVIP.

b. Academic and housing accommodations; interim actions to protect students:

A student who has reported being the victim of sexual misconduct, dating/domestic violence, and/or stalking may contact the Office of the Sexual Misconduct Response Coordinator at 319-335-6200 to request any of the following:

(1) a change of on-campus housing location to a different on-campus location if alternate housing is available;

(2) assistance in securing a transfer of class sections;

(3) assistance in arranging incompletes, leaves, or withdrawal;

(4) issuance of a no-contact directive if the University determines that continued contact between a student who has made a complaint, a student who has been accused of sexual misconduct, and/or a witness would be detrimental to any of the parties' welfare;

(5) other interim actions, when necessary to protect student welfare, such as a campus and/or building ban or interim suspension.

Requests for such arrangements or actions will be granted in appropriate circumstances as determined by the Dean of Students or the Sexual Misconduct Response/Deputy Title IX Coordinator, or their designees.

c. Protection against retaliation. The University of Iowa prohibits retaliatory action against any person making a complaint of sexual misconduct or against any person cooperating in the investigation of any charge of sexual misconduct (see II-11 Anti-Retaliation). This includes any form of intimidation, threats, or harassment. Acts of retaliation constitute a violation of University policy and of the Code of Student Life and will result in disciplinary action. Retaliation should be reported to the Office of the Sexual Misconduct Response Coordinator.

d. Medical assistance. Students who have experienced a recent sexual assault are strongly encouraged to visit a hospital or clinic to assess and address their medical needs. The exam can assess a victim's injuries and provide necessary medical advice and medication for concerns regarding pregnancy and sexually transmitted infections (STI). A Sexual Assault Nurse Examiner is available at both Iowa City hospitals to perform an evidentiary examination. Receiving an evidentiary examination does not mean that a victim must make a complaint to the University or to law enforcement. Rather, the examination serves to preserve evidence in the event that a victim may wish to make a complaint in the future.

A sexual assault evidentiary exam is fully covered and paid for by the State of Iowa and will not be submitted for insurance purposes.

To secure medical assistance and/or an evidentiary exam, visit:

University of Iowa Hospitals and Clinics
Emergency Department (open 24 hours)
200 Hawkins Drive
Carver Pavilion, Level 1
Iowa City, Iowa 52242
Emergency Medicine phone: 319-356-2233
UIHC Nurseline (operated 24 hours): 319-384-8442

e. University of Iowa Department of Public Safety. Students who have experienced sexual misconduct, dating/domestic violence, or stalking are encouraged to seek the assistance of the University of Iowa Department of Public Safety at 319-335-5022. If a student is not sure whether criminal conduct is involved, an officer can assist the student in determining whether a crime has been committed. If the misconduct occurred off campus, an officer can assist the student in contacting the appropriate law enforcement agency. A student can request and receive the assistance of the Department of Public Safety without making a criminal complaint or making a complaint to the University. However, in cases of domestic violence, law enforcement officers are mandated to make an arrest of the primary physical aggressor when there is evidence of an assault and a physical injury has occurred.

The Department of Public Safety is committed to ensuring that students who report misconduct receive comprehensive care, regardless of whether or not they wish to make a criminal complaint.

If a student contacts UI Public Safety, an officer will:

(1) call a certified victim advocate to assist the student in every step of the process;

(2) accompany the student to the hospital if the student wishes;

(3) notify the University's Office of the Sexual Misconduct Response Coordinator of the report;

(4) talk with the student privately and treat the student with respect, sensitivity, and dignity.

If the student feels more comfortable talking with a female or male officer, the Department of Public Safety will do its best to accommodate that request.

Even if an assault took place on non-University property or was reported to another law enforcement agency, students are encouraged to contact the Department of Public Safety for assistance with safety issues while on campus (e.g., protection from particular individuals).

2.7 Resources and Support for the Accused

(7/15)

Assistance for students accused of sexual misconduct or other unwelcome sexual behavior, dating/domestic violence, and/or stalking:

a. Due process. The University will treat accused students with fairness and respect in accordance with the principles of due process. A student who is accused of sexual misconduct may be assisted by an attorney or other advisor of his or her choosing. A student who is accused of sexual misconduct should consider seeking the assistance of a private attorney.

b. The Office of the Ombudsperson can confidentially assist with understanding University policies and the Student Judicial Procedure, listen to concerns, help identify options, and refer to other resources as needed. See https://uiowa.edu/ombuds/, or contact 319-335-3608 or ombudsperson@uiowa.edu.

c. University Counseling Service can confidentially assist in dealing with stress related to the complaint and work to develop strategies for healthy coping. See https://counseling.uiowa.edu, or contact 319-335-7294 or ucs@uiowa.edu.

d. The Office of the Sexual Misconduct Response Coordinator can assist you with understanding University policies and the Student Judicial Procedure. See https://osmrc.uiowa.edu, or contact 319-335-6200 or osmrc@uiowa.edu.

e. University prohibition against knowingly false complaints. The University prohibits students from knowingly making false complaints of sexual misconduct (including sexual assault and sexual harassment). Knowingly making false complaints of sexual misconduct constitutes a violation of the Code of Student Life and will result in disciplinary action. However, a complaint made in good faith is not considered false merely because the evidence does not ultimately support the allegation of sexual misconduct.

2.8 Confidentiality
(Amended 7/15)

Students who would like to discuss their situations in a private environment, and share or seek information about a sexual misconduct, dating/domestic violence, or stalking issue without making a complaint, have a number of options. At various offices on campus and off campus, students can speak to individuals who have professional or legal obligations to keep communications with the student confidential. When seeking advice and support, students who are concerned about confidentiality should always discuss that concern with the person to whom they are speaking, and should inquire about any limits on that confidentiality.

Generally, under Iowa law, confidentiality applies when a student seeks services from the following persons:

a. An RVAP victim advocate (319-335-6000) or DVIP victim advocate (800-373-1043) [IC 915.20A]

b. A psychological counselor or other mental health professional, including counselors at the University Counseling Service (319-335-7294), the Women's Resource and Action Center (319-335-1486), and the Employee Assistance Program (319-335-2085) [IC 228.2 and 622.10];

c. A health care provider, including medical professionals at Student Health and Wellness and The University of Iowa Hospitals and Clinics [IC 622.10];

d. A personal attorney [IC 622.10];

e. A member of the clergy [IC 622.10].

In addition, the staff at the Office of the Ombudsperson (319-335-3608) have a professional obligation to keep their communications with clients confidential and will not disclose those communications unless required to do so by court order or to avoid imminent physical harm.

2.9 Making a Complaint of Sexual Misconduct, Dating/Domestic Violence, and/or Stalking
(Amended 7/15)

The University takes all incidents of sexual misconduct, dating/domestic violence, and/or stalking very seriously. There are two options for students to make a complaint of sexual misconduct. A student may pursue either or both of these options.

A student can make a **UI policy complaint** about sexual misconduct, dating/domestic violence, and/or stalking by contacting the Office of the Sexual Misconduct Response Coordinator at 319-335-6200.

A student can make a **criminal complaint** about sexual misconduct, dating/domestic violence, and/or stalking to the appropriate law enforcement authorities, which would be the UI Department of Public Safety (319-335-5022) in the case of misconduct that occurs on campus. Not all sexual misconduct, dating/domestic violence, and stalking is criminal behavior. Law enforcement authorities can assist a student in determining whether the conduct experienced was criminal in nature and warrants a criminal complaint.

A student may seek and receive help from the Office of the Sexual Misconduct Response Coordinator and/or the UI Department of Public Safety *without making a complaint.* The University of Iowa will make every effort to respect the privacy of students who seek help and/or report misconduct. The University will weigh requests for no action with its responsibility to protect the community and adhere to federal guidelines that mandate the University's action. While steps are taken to protect the privacy of victims, the University may need to investigate an incident and take action once an allegation is known, whether or not the student chooses to pursue a complaint.

a. Making a University policy complaint.

(1) *How* to make a complaint to University administration. Students may make a complaint about sexual misconduct by another student, a faculty member, or a staff member by contacting the Office of the Sexual Misconduct Response Coordinator at 319-335-6200.

A student may need support when talking with law enforcement or University administrators. Students are entitled to be assisted by a certified victim advocate at every stage of the process and are encouraged to consult with the victim advocate and bring the victim advocate to meetings.

(2) *When* to make a complaint to University administration. There is no time limit on making a complaint to University administration. **However, students are strongly encouraged to report incidents of, or share information about, sexual misconduct as soon as possible after the incident occurred.** The University may ultimately be unable to adequately investigate if too much time has passed or if an accused individual has left the University. Other factors that could negatively affect the University's ability to investigate include the loss of physical evidence, the potential departure of witnesses, or loss of memory.

b. Making a report to law enforcement.

(1) **In an emergency:** Call 911 from wherever you are, and a law enforcement officer will respond to assist you.

(2) In nonemergency situations: Criminal sexual misconduct, including sexual assault, should be reported to the law enforcement agency that has jurisdiction over the location where the assault or abuse occurred. Nonemergency reports to law enforcement may be made as follows:

(a) If the incident occurred on University of Iowa property, call the University of Iowa Department of Public Safety at 319-335-5022.

(b) If the incident occurred in Iowa City, call the Iowa City Police Department at 319-356-5275.

(c) If the incident occurred in Coralville, call the Coralville Police Department at 319-248-1800.

(d) If the incident occurred in University Heights, call the University Heights Police Department at 319-887-6800.

(e) If the incident occurred in North Liberty, call the North Liberty Police Department at 319-626-5724.

(f) If the incident occurred in another area of Johnson County, call the Johnson County Sheriff's Department at 319-356-6020.

Victim advocates have special training in working with law enforcement. The advocates at RVAP (24-hour crisis line, 319-335-6000) can help a student arrange to meet with a law enforcement officer to discuss options, and a student can request that a victim advocate accompany him or her at the meeting. At a student's request, the Office of the Sexual Misconduct Response Coordinator will also assist students in reporting to law enforcement.

2.10 Scope of Policy: On Campus and Off Campus
(7/15)

This policy covers both on-campus and off-campus conduct, as described below.

a. On-campus violations. This policy forbids acts of sexual misconduct anywhere on campus. "Campus" includes University-owned or -leased property, streets, and pathways contiguous to University property, or in the immediate vicinity of campus. It also includes the property, facilities, and leased premises of organizations affiliated with the University, including University housing and University-recognized housing. University housing includes all types of University residence housing, such as halls and apartments. University-recognized housing includes fraternity and sorority chapter dwellings.

b. Off-campus violations. Off-campus violations, including online behavior, that affect a clear and distinct interest of the University are subject to disciplinary sanctions. For example, sexual misconduct by a student is within the University's interests when the behavior:

(1) involves conduct directed at a University student or other member of the University community;

(2) occurs at a University-sponsored activity, sporting event, or educational activity (e.g., residency, internship, service-learning experience, field trip), or at a student organization-sponsored activity;

(3) occurs while the accused or complainant was acting in an official capacity for the University;

(4) constitutes a violation of federal, state, or local law or ordinance;

(5) violates University rule or policy; or

(6) demonstrates a threat to campus safety and security. Violations of this policy involving violent conduct, alcohol, or drugs, occurring in Johnson County, Iowa, are presumed to affect a clear and distinct interest of the University.

IV. Students

Chapter 3 – Degree Candidates

(Amended 9/93; 10/94; 10/95)

3.1 Degree Applications

Applications for degrees from all colleges to be awarded at the May, December, June, or July or August graduation must be submitted to the Office of the Registrar on or before the established deadline.

3.2 Graduate Deletions

The Colleges of Medicine, Dentistry, Law, Nursing, Pharmacy, and Engineering are required to report all deletions from the official list of graduates for each degree to the Office of the Registrar before the date the degree is to be awarded.

3.3 Awarding of Degrees

a. Only after the completion of all required course work has been certified may a degree be awarded to any student.

b. When, in the opinion of the department head, consideration should be given for the awarding of a degree posthumously, the University Registrar will, upon request, complete an official evaluation of the student's progress at the time of death. The evaluation report will be forwarded to the dean of the college. Based upon a determination that the individual, upon completion of current work, would have been eligible for a degree, the recommendation shall be forwarded to the President by the dean of the college. Upon approval, the President will communicate directly with the immediate family, notifying them of the decision. The President will also notify the Registrar, who will send the diploma and other data pertaining to the commencement exercises directly to the appropriate next of kin.

IV. Students

Chapter 4 – Student Organizations

(Amended 10/94)

4.1 General

Recognized campus student organizations are defined in the current version of *Policies and Regulations Affecting Students*.

All campus student organizations, other than those given written authorization by the Office of the Dean of Students, are required to deposit all receipts in, and make all disbursements through, the University Business Office under the supervision of the Business Manager of Student Organizations.

4.2 Business Manager of Student Organizations

The duties of the Business Manager of Student Organizations are:

a. To help prepare and to approve organization budgets.

b. To approve all vouchers for expenditures. Each student treasurer must also approve each voucher for that organization.

c. To aid each student treasurer in reconciling the organization's accounts with the accounts of the Business Office.

d. To prepare an annual report of all student organizations.

The Business Manager of Student Organizations in the Office of Campus Programs and Student Activities Business Service will provide detailed instructions.

4.3 Solicitation by Student Organizations

a. Definitions.

(1) Solicitation is defined as the seeking of funds or support by a recognized student organization from persons outside its membership. This includes the obtaining of signatures, food, supplies, and other forms of support; and the selling and distribution of items, materials or products, and services.

(2) Commercial solicitation is defined as the selling of items, materials or products, and services.

b. Policy as to solicitation activities.

(1) Recognized student organizations may use University facilities, including the Iowa Memorial Union, for solicitation other than commercial solicitation relating to purposes of the organization and consistent with the aims of the University.

(2) Recognized student organizations may use the Iowa Memorial Union for commercial solicitation relating to the purposes of the organization and consistent with the educational aims of the University. The Iowa Memorial Union is the only building in which commercial solicitation is allowed to take place.

(3) When student and non student University organizations request use of the same facilities for the same period of time, preference will be given to the University student organization.

c. Policy as to permitted activities. Permission will ordinarily be given to a University-recognized student organization:

(1) to distribute or sell literature or notices relating to the purposes of the organization;

(2) to distribute or sell tickets to public events appropriately sponsored by the organization;

(3) to post notices relating to the organization on bulletin boards approved for the purpose (see V-29 for policy on bulletin boards on campus and bulletin boards in the residence hall system); and

(4) to seek voluntary contributions consistent with the aims of the organization and not for the personal benefit of members, in accordance with the policy stated in the previous paragraphs.

In interpreting the aims or purposes of the organization, the statement in its constitution will be followed. The permitted activities will be carried on: 1) only at reasonable times and places on the campus, under conditions imposed by the authorities charged with the prevention of interference of traffic, and with the preservation of good order in the areas involved; and 2) in accordance with the policies set forth in the previous paragraphs.

The only building in which commercial solicitation may take place, and the building in which all solicitation ordinarily takes place, is the Iowa Memorial Union.

d. Procedure. Requests for approval of any solicitation are to be made in writing by the president of the organization or a representative (appointed in writing) to the Vice President for Student Life or his or her designee. The requests are to be made not later than the calendar week preceding the calendar week of the proposed date of the activity.

(1) Iowa Memorial Union display cases. Recognized student organizations and University departments may reserve display case space in the Landmark Lobby and Union Station areas for a period of time not to exceed two weeks each semester. The sponsoring organization must be identified by means of a sign in the display case. Two organizations may reserve the same display case with the second as an alternate. If the first organization does not have a display up by Tuesday morning at 10:00 a.m., the alternate may have the case. If an alternate is not listed, any recognized student organization or University department may request the use of the display case for the duration of the reservation period on a first-come, first-served basis. Only one display case is allowed per group.

(2) The Terrace Lounges display cases are to be used for cultural or educational displays only.

(3) No student election campaign materials will be displayed in any of the cases. Special posting boards will be made available for student election campaign materials.

In the event of controversies resulting from the content of a display in one of the Union display cases, Union administrators will attempt to arrange a meeting of those organizations involved in order to facilitate an exchange of ideas of diverse vantage points and a better understanding of the ideology or message of the display. If requested and if space permits, the protesting organization will be offered an equal opportunity to use a display case to present its viewpoint.

Reservations for the cases are to be made in the Office of the Union Administration. Keys for display cases will be checked out to an individual member of the organization who will then leave his or her student ID, driver's license, name and telephone number until the key is returned. The key(s) is/are to be returned to the Office of Union administration within three hours or before 5:00 p.m. of the same day.

(4) Tables in the Landmark Lobby. General solicitation of students may be conducted in the Iowa Memorial Union and, unless other arrangements are made, will be conducted in the Landmark Lobby. Requests for reservations in the Landmark Lobby or other Union areas begin with the filing of an event registration form in the Office of the Union Administration and are to be submitted three working days in advance of the event. As nearly as space permits, each recognized student organization may reserve one table for a period of up to five consecutive days per month. In addition to this five-day reservation, unreserved space will be allocated to organizations by request on a daily first-come, first-served basis. Three organizations can be scheduled for tables in the Landmark Lobby at one time; four tables are permitted during student government election periods.

Each organization maintaining a table in the Landmark Lobby is responsible for requiring solicitors to remain behind the tables.

(5) Other space. Special requests for space elsewhere in the Union may be granted. These requests may be made to the Office of Union Administration.

IV. Students

Chapter 5 – Federal and State Income Tax on Fellowships and Scholarships

(Amended 9/93)

5.1 Withholding Required

The University is required by law to withhold federal and state income tax on salaries, wages, and other compensations paid. The tax is regularly deducted from payments made to graduate assistants, research assistants, research associates, research technicians, and the like.

5.2 University Position

a. Appointments supported by federal grants and contracts:

(1) Tax is withheld from payments to all research assistant appointments and postdoctoral fellows.

(2) Tax is withheld from payments to all research appointments and postdoctoral fellows on grants and contracts.

b. All other University appointments:

(1) Tax is withheld from payments to all new appointments as research assistants and postdoctoral fellows.

(2) Tax is withheld from payments to all University-supported research assistants and postdoctoral fellows.

c. Amounts paid as scholarships, traineeships, or fellowships used for tuition and related expenses, and not as payment for teaching, research, or other services rendered by the recipient are exempt from the withholding of taxes unless the recipient is a nonresident alien. Then special percentage withholding (currently 14 percent) must be deducted, unless there is a tax treaty with the home country with articles pertaining to fellowships. Such amounts are also excluded from Federal Form W-2.

Scholarship or fellowship grants are not tax exempt to the extent such payments are for teaching, research, or other services that must be performed by the students as a condition for receiving the qualified scholarship.

d. In the case of faculty stipends paid from other than state appropriated funds, and certified by the faculty member and the dean as grants of fellowships for which no services are required to be rendered, advice should be sought from the University Payroll Office.

IV. Students

Chapter 6 – Treatment of Student Education Records

(Amended 9/93; 10/95; 10/04)

This statement of institutional policy regarding the treatment of student education records is consistent with Section 438 of the General Education Provision Act, Title IV of Pub. L. 90-247, as amended, and popularly known as the Buckley Amendment, or the Family Educational Rights and Privacy Act of 1974 (FERPA).

6.1 Definitions

a. Student. A student is defined as a person who has attended or is attending The University of Iowa and whose education records are maintained by the University.

b. Education records. Education records are those records which meet the Act's definition of the term. The following records are not education records:

(1) the personal files of University of Iowa faculty and staff members that are not accessible or revealed to persons other than a substitute faculty or staff member;

(2) employment records, unless the employment is a direct result of the employee's status as a student;

(3) medical and counseling records that are created, maintained or used for treatment of the student;

(4) records that contain only information relating to a person after the person has ceased being enrolled at the University, such as alumni records.

c. Directory information. The following categories of information are designated by the University as directory information: name; local address; telephone; home town; major fields of study; college enrolled in; dates of attendance, including the current class or year; full-time/part-time status; degrees and awards received; height and weight of members of athletic teams; and information about participation in activities and sports.

d. Act. The "Act" refers to Section 438 of the General Education Provision Act, Title IV of Pub. L. 90-247, as amended, and regulations pertaining to that Act.

e. Exempted persons. The following is a list of exempted persons:

(1) the student;

(2) members of The University of Iowa faculty, staff, or the Board of Regents, State of Iowa, who have a "legitimate educational interest" in obtaining access to information in the record. The determination of who has a legitimate educational interest will be made by the person responsible for the maintenance of the records on the basis of the following tests:

(a) whether the information is needed to carry out an educational duty or responsibility that is within the employment duties and responsibilities of the staff or faculty member;

(b) whether the purpose for which the information is obtained relates to the personal health or the education or the educational program of the student;

(c) whether the information will be treated confidentially and with respect for the privacy of the student;

(3) persons presenting a judicial order or lawfully issued subpoena. The University will make a diligent effort to notify the student before complying with such an order or subpoena;

(4) persons who represent agencies or organizations from which a student has received or applied for student financial aid and who seek only such information as is necessary to determine the eligibility of the student for such aid, the amount and conditions of the aid, or to enforce the terms or conditions of the aid;

(5) authorized representatives of the Comptroller General of the United States or the Secretary of the United States Department of Education who seek such information as is necessary to conduct an audit and evaluation of federally supported education programs or to enforce or comply with federal legal requirements related to these programs, provided that information so collected is protected in a manner which will not permit the personal identification of students by other than those authorized representatives, and that personally identifiable information be destroyed when it is no longer needed for such audit, evaluation, or enforcement of or compliance with federal legal requirements;

(6) organizations conducting studies for, or on behalf of the University for the purpose of developing, validating, or administering predictive tests, administering student aid programs, and improving instruction, provided that the studies will be conducted in a manner that does not permit the personal identification of students by individuals other than representatives of the organization and that personally identifiable information is destroyed when no longer needed for the purposes for which the study is conducted; and

(7) accrediting organizations that require information to carry out their accrediting function, provided that the information will be treated in such a manner that does not permit the personal identification of students by persons other than the authorized representatives of the accrediting organization and that personally identifiable information is destroyed when no longer needed for the purpose for which the information is collected.

6.2 Notice to Students

The University will notify students at least annually that they have rights under the Act by placing a statement in *Policies and Regulations Affecting Students* or in other publications likely to be read by students.

6.3 Right to Inspect and Review

6.3(1)

The University will permit each student to inspect and review records pertaining to him or her and maintained by the University that meet the definition of "education records." However, a student may not inspect the following records:

a. the financial records and statements of a student's parents;

b. confidential letters and statements of recommendation placed in records before January 1, 1975; and/or

c. confidential letters and statements of recommendation for admission, employment or honorary recognition placed in records after January 1, 1975, for which the student has

waived the right to inspection and review.

Records are not maintained in a central location on the campus but are located in appropriate offices throughout the University. Most students' academic records are kept in one or more of the University college(s) from which they took courses.

Some departments may maintain records separate from the college. Information concerning departments which have separate records, their location, and the person responsible for the record may be obtained from the office of the dean of the college in which the department is located.

6.3(2)
In addition, students may have records in one or more of the following offices:

Academic Advising Center, Director

Office of Admissions, Director

Office of the Registrar, Registrar

Division of Student Life

Office of Student Financial Aid, Director

University Housing and Dining, Director

Intercollegiate Athletics, Directors

University Billing Office

Placement Services

Engineering Placement Service

Placement offices maintained by individual colleges and schools, dean, or director

International Student and Scholar Services

TRIO Student Support Services

Evaluation and Exam Service, Director

Students may formally request to inspect and review records by completing an inspection request form, which may be obtained at the Office of the Registrar, and presenting it to the office that maintains the desired records. In addition, record custodians may comply with informal requests to review and inspect education records without requiring an inspection form. The office will respond to a formal request within 45 days of the date the request is presented by making available for inspection and review during the regular office hours of that office, those requested records that are covered by the Act. The University may have a staff member or official present at any time during the inspection and review. In addition, reasonable requests for explanation and interpretations of the records will be honored by the record custodian. Students may have copies made of their records if necessary to effect the right to inspect and review the record, or when a disclosure is made to another institution, or at the discretion of the custodian of the record. Reasonable charges for copies may be made to the student.

6.4 Release of Information by University

The University will not disclose personally identifiable information (except directory information as defined above in IV-6.1c) from the education records of students without the prior consent of the student except to exempted persons. Such consent will specify the records to be disclosed, the purpose of disclosure, and to whom the disclosure is to be made.

The University may, at its discretion, disclose directory information to any person or to the public unless the student formally requests that such information not be released without consent. To restrict the release of directory information and to avoid publication of the information in the University directory, a formal request must be completed in the Office of the Registrar within seven calendar days following the first day of classes of fall semester. The request will be effective as long as the student is enrolled at The University of Iowa. Former students may restrict address and telephone information. A request made during spring semester or summer session will be effective only for the balance of that year and cannot be effectuated with respect to information published in the University Directory.

6.5 Amendment of Student Education Records

The University will consider the formal request of a student to amend information in his or her education record which he or she believes to be inaccurate, misleading or a violation of his or her rights. "Amendment" may include, but is not limited to, deletion or correction of information in the record or the addition of a statement commenting on the information in the record. Formal requests for amendments should be made in writing to the Office of the Registrar, which will forward the request to the University staff or faculty member who is the custodian of the record. A decision by the staff or faculty member to amend or not will be reached within a reasonable time.

If an amendment satisfactory to the student is not granted, the student may file a request for a hearing in writing to the Office of the Registrar. A hearing before a person appointed by the President of the University, or his or her designee, will be held within a reasonable time after the request is received. The student will be informed of the date, place and time of the hearing and may present relevant evidence and be assisted or represented by one or more persons of his or her choice, at his or her own expense, including an attorney. The decision of the hearing officer will be in writing and based solely upon the evidence presented at the hearing. An appeal of the hearing officer's decision may be made in writing to a person designated by the President of the University, who will review the record below only if a significant question of policy or law appears to be raised by the case. Further appeal may be made to the Board of Regents, State of Iowa. After a final disposition by the hearing officer, or on appeal, the student may place in his or her record a statement commenting upon the information in the education record and setting forth any reasons for disagreeing with the decision of the University.

6.6 Record of Requests

a. The University will maintain a record of the requests for and disclosure of personally identifiable information from the education record of the student, except the record need not include the following:

(1) requests for and disclosure of directory information;

(2) requests and disclosure to persons described in IV-6.1 of this policy; or

(3) requests and disclosures made pursuant to the written consent of the student to persons designated by the student.

b. The record of requests will state the names of the parties who have requested or obtained personally identifiable information and the legitimate interest of the party in requesting or obtaining that information. This record of requests and disclosures will be maintained by the office that maintains the record and may be inspected by the student under the same procedures by which the record itself may be inspected.

c. Internal administration of requests. All formal student requests under this policy will be coordinated through the Office of the Registrar. Record custodians may comply with informal requests to review and inspect education records. In addition, forms will be available for records office to record requests and disclosures that must be recorded and maintained with the record under the Act.

IV. Students

Chapter 7 – (Reserved for future use)

IV. Students

Chapter 8 – Absences from Class

(Amended 9/93)

8.1 General

Each college within the University is free to establish its own rules and regulations concerning absences from class. However, University regulations require that students be allowed to make up examinations which have been missed due to illness, mandatory religious obligations, or other unavoidable circumstances or University activities.

Policies regarding conflicts between examinations scheduled outside of class, regularly scheduled exams, and regularly scheduled courses are described in the current *Schedule of Courses*.

8.2 Absences Following Athletic Victories

a. General. The desirability of wholesome interest in and enthusiasm for activities sponsored by the University is fully recognized. If this interest and enthusiasm should find expression in group activities, arrangements for such programs should be made through the proper administrative channels, should reflect the wishes of the entire student body, and should not interfere with regularly scheduled University classes.

b. Policy. It is the definite policy of the University to recognize only those holidays specifically provided for in the official calendar prepared by the appropriate committee appointed by the President under authority granted by the Board of Regents, State of Iowa. It is contrary to University policy to grant holidays from classes following athletic victories and such holidays will not be approved.

V. Administrative, Financial, and Facilities Policies

Chapter 1 – Accounts

(Amended 12/96; 10/99; 7/02; 3/10; 5/12; 2/15)

1.1 Treasurer's Office

(Amended 7/02; 3/10; 5/12)

The University Treasurer's Office has overall responsibility for administering and overseeing the banking, debt service, and investment programs for the University. The following is provided to communicate information on the services of the Treasurer's Office and the guidelines for using those services.

a. Banking and Debt Services. The Treasurer's Office administers banking, cash management, and debt services for the University. This includes the establishment and maintenance of University bank accounts, contracting for new banking services including ATM and retail credit card processing, domestic and foreign wire transfers, foreign drafts/collection, stop payments, and ACH transactions. The Treasurer's Office also serves as the bond registrar and paying agent for the majority of the bonds issued by the University.

b. Bank Accounts. Only the University Chief Financial Officer and Treasurer, the Director of Financial Management and University Secretary, and the Director of Treasury Operations are authorized to establish and maintain University bank accounts. Requests for bank accounts or other banking services must be submitted to the Treasurer's Office for prior review and approval.

c. Prohibition of Use of University's Name and Tax Identification Number. The University strictly prohibits the use of The University of Iowa's name or tax identification number by any person or organization in any bank account except as specifically authorized by the University Chief Financial Officer and Treasurer or the Director of Treasury Operations. Banks are periodically surveyed to identify any accounts utilizing the University's name or identification number. These accounts are independently reviewed for proper authorization.

d. Bequests. The Treasurer's Office records and invests all funds that are designated as endowment and payable directly to The University of Iowa. Both the General Counsel and the Treasurer's Office are responsible for the initial review of all bequests to determine whether any portion has been designated as an endowment under the terms of the will. Beneficiary documents, estate notices, or any communication indicating a possible beneficiary status of bequests and gifts to the University shall be forwarded directly to the Office of the General Counsel for official handling. Wherever justified, the funds will be transferred to The University of Iowa Foundation, the University's preferred channel for private gifts.

e. Investments — Operating, Endowment, and Quasi-Endowment Funds. Operating, endowment, and quasi-endowment funds are invested in compliance with the investment policy of the Board of Regents, State of Iowa. (See *Board of Regents Policy Manual* 2.2.4.) Investments are independently reviewed and audited monthly and quarterly in accordance with Regent policy. Internal procedures and practices with regard to participant accounting, spendable earnings, and the charging of costs (i.e., investment management, banking and custody fees, and where applicable stewardship and donor-related services costs) are developed in consultation with the University's Investment Advisory Committee and the Treasurer's internal committee of administrative officers.

f. Guidelines for Establishing and Maintaining an Endowment or Quasi-Endowment.

(1) Endowments. Endowment funds are invested for the long-term benefit of University programs with the objective of generating a reasonable spending payout while maintaining the real value of funds over time. Restrictions as to principal are imposed by the donor. A review to verify compliance with donor restrictions will be performed annually.

All endowments are invested in a long-term investment pool which includes equities and fixed income securities. Spending payout amounts are calculated and communicated annually.

(2) Quasi-Endowments. Quasi-endowment funds are invested for the mid- and long-term benefit of University programs using investment philosophy similar to the endowment. However, in the case of quasi-endowments, current investment income and capital gains may be spent and the inflation-adjusted value of the principal need not be maintained over time. Restrictions as to principal are determined by the University.

Based on the intended use of funds, quasi-endowments are invested in either or both the long-term investment pool and the intermediate investment pool.

Quasi-endowment funds may be withdrawn once per fiscal year at the end of the third fiscal quarter (March 31). Written notice of the intention to withdraw funds must be received in the Treasurer's Office by March 1. Written requests to withdraw quasi-endowment funds must be signed by an authorized departmental representative. Under unusual circumstances the Treasurer may permit withdrawal at other times.

(3) Authorization. Endowment or quasi-endowment accounts may be established only when authorized by the University Treasurer's Office and University Controller. Additional contributions to established endowment or quasi-endowments accounts, other than investment earnings, also must be authorized by the University's Treasurer's Office and University Controller. Endowment determinations will be made based upon an interpretation of donor or other restrictions that apply, while quasi-endowment determinations will be based upon the proposed long-term uses and intentions of the department. Any request for the establishment of a quasi-endowment must be accompanied by a specific programmatic plan for those funds and should contemplate commitment of the corpus for a minimum of three years.

(4) Investment Earnings. Endowment or quasi-endowment funds deposited with the University will be transferred to a fund manager for investment at the next endowment valuation date — usually at the end of the calendar quarter following receipt of the funds. Investment pool earnings will begin accruing to the recipient department at that time. Balances in individual endowment or quasi-endowment income accounts will become part of the University pool investments; earnings on these balances will not accrue to either the fund principal or the associated income account, except where authorized by the Treasurer.

(5) Spendable Income. An amount determined by The University of Iowa's endowment spending rules will be transferred from the endowment or quasi-endowment fund to the associated income account on a quarterly basis. Periodically, in consultation with the Regents' investment advisor, the University evaluates guidelines for income distribution.

Internal procedures are developed by Treasury Operations and approved by the University Chief Financial Officer and Treasurer. For internal procedures and additional information, contact Treasury Operations or refer to the following web address: https://treasury.fo.uiowa.edu/policies-and-procedures .

1.2 Budget Allocations and Expenditures for Funds Receiving Support from State Appropriations

a. Salary and Supplies and Services Accounts. Separate salary and supplies and services accounts are maintained for each department. Allocations to these accounts are available for the fiscal year beginning July 1 each year and are based on annual budgets approved by the Board of Regents, State of Iowa, and supplemental allocations recommended through regular administrative channels and approved by the President of the University. Supplemental allocation requests are made on the Request for Transfer or Allocation of Funds form.

   Charges to salary accounts are based on payrolls in accordance with approved appointments. The University portion of retirement and group insurance premiums and taxes are charged to salary accounts by the University Business Office in accordance with the base salaries on which they are applied.

   Charges to supplies and services accounts include all charges except those charged to salary and equipment accounts, and are based on requisitions and vouchers approved by departmental executive officers (and other administrative officers as required) and on University-wide contracts for services (such as telephone service and equipment maintenance service). Expenditures and commitments must be limited to the allocations provided. Requisitions for items to be charged to the current year's budgets must be filed in the Purchasing Department not later than June 10 each year.

   Free balances in supplies and services accounts are not carried forward to the following year but are lapsed as of June 30 each year. A free balance is the balance remaining after deducting the expenditures and outstanding orders (encumbrances) from the departmental allocation(s). Amounts encumbered for outstanding orders as of June 30 each year are carried forward to the following year to the extent that June 30 balances are available and providing that delivery and payment is completed prior to October of the following year. Expenditures and commitments are not authorized in excess of the amounts allocated. If, by reason of unforeseen expense, or otherwise, a supplies and services account is overdrawn on June 30 of any year, the overdraft becomes a first charge against the departmental supplies and services account for the following year. Amounts are not encumbered for orders outstanding to University stores and service departments as of June 30 each year.

b. Equipment Accounts. Separate equipment accounts are maintained, and encumbrances and balances for equipment accounts are handled in the same manner as supplies and services accounts. Allocations to these accounts are based on requests processed through administrative channels for specific items, as approved by the University administration. Special forms for equipment allocation requests are made on the Request for Equipment form.

   Following the notice of approval of the equipment allocation, departmental executive officers should submit requisitions to the Purchasing Department for purchases to be made in the regular manner.

1.3 Other Accounts

(Amended 2/15)

Separate accounts are maintained in the University Business Office for all current restricted, income, and revolving accounts. These accounts receive no allocations from the University general fund and balances do not lapse to the general fund.

Salaries are paid from these funds on the basis of approved budgets in the same manner as for accounts receiving budget allocations. The same procedure and general regulations apply to expenditures from these funds as apply to expenditures from allocated funds.

a. Income Accounts. Income accounts are those which are set up for activities or enterprises which are supported solely by the income received from the sale of goods or services. These include a limited number of organized educational activities, auxiliary enterprises, the stores, service departments, and revolving funds.

b. Current Restricted Accounts. Current restricted accounts are those set up for funds received from various sources outside the University. These accounts are comprised of grants, contracts, fellowships, and other sponsored agreements received from both federal and nonfederal organizations in support of a wide range of University activities. Also included in the current restricted accounts are gifts to the University to be used for a variety of special purposes.

   All charitable gifts, regardless of their form, are to be acknowledged by The University of Iowa in accord with the quid pro quo requirements and substantiation requirements imposed by the Internal Revenue Service. The University has previously designated The University of Iowa Foundation (Foundation; see I-3.6) as its primary development arm and its preferred solicitor and recipient of and channel for private gifts intended to benefit the University. To the extent possible, deans, directors, and departmental executive officers should encourage current and prospective donors to direct their gifts to the Foundation so they may be properly acknowledged for tax purposes and so they may receive consultation and advice on gift and tax procedures appropriate to their needs, including charitable lead trusts, charitable remainder trusts, life estates, and testamentary dispositions.

   Monetary gifts payable to the University are deposited by the University department by following deposit procedures established by the University Billing Office, identifying an appropriate University gift account, and including donor information as an attachment. The Grant Accounting Office forwards the necessary information to the Foundation which, in turn, provides official acknowledgment to the donor on behalf of the University. Non-monetary gifts made to the University should also be reported to the Grant Accounting Office with the appropriate donor information. This information will also be forwarded to the Foundation, which, in turn, provides official acknowledgment to the donor on behalf of the University.

c. Accounts Receivable. All sales of materials or services must be reported to the University Business Office for collection. Exception to this rule may be made only upon special approval by the University Business Office.

1.4 Departmental Credits

Income from departmental sales or services is credited to the University General Educational Fund, and is not automatically available to a department to supplement budget allocations.

V. Administrative, Financial, and Facilities Policies

Chapter 2 – Allocations and Transfer of Funds

(Amended 5/5/95)

2.1 General

Allocations or transfers of funds are procedures used to alter budget allocations once the budget has been approved and is in operation. The same form, Request for Transfer or Allocation of Funds, is used for both procedures.

2.2 Transfers and Allocations

A budget transfer involves transfer of funds from one account to another within a department or college (or other division) of the University. Fund allocations involve the receipt of additional funds when a college, division, or department has overextended an account and is unable to transfer funds from one of its other accounts. The departmental executive officer indicates the account(s) from which the funds will be transferred and the account(s) to receive the funds. The form is then submitted to the proper dean or director for approval. If approved, it is then forwarded to the appropriate vice president. All transfers or allocations of funds are then sent to the offices of the University Chief Financial Officer and Treasurer and the President for approval. If approved, copies are returned as designated in the upper right corner of the form. The Business Office and Payroll receive copies so that the necessary changes may be made in the budget.

2.3 The University of Iowa Foundation

(Amended 5/5/95)

a. Transfer of funds to The University of Iowa Foundation. Transfers of funds to The University of Iowa Foundation from any account in the University are made only with the approval of the University Chief Financial Officer and Treasurer or designee.

b. Cash advances. The University of Iowa Foundation shall not issue cash advances to University employees or students except for fundraising activities.

(See also V-4.6 Prohibited Cash Advances: Local Sports Clubs; V-12 Equipment and Personal Property of the University.)

V. Administrative, Financial, and Facilities Policies

Chapter 3 – Deposits and Expenditures of Funds in Allied Organizations

(10/95; amended 2/98; 7/1/06)

3.1 Deposit of Gift and Non-Gift Funds

a. Funds in the form of checks made out to The University of Iowa or any of its colleges or departments, or made payable for University activities or to University employees for work undertaken in the course of their employment shall be deposited in University accounts, and may only be transferred to an allied organization where 1) documentation evidences an intent on the part of the signer of the check to make a payment to the allied organization; and 2) where such transfer is in accordance with the policies and practices of the allied organization. Gifts to the allied organization in the form of checks should be made payable directly to that organization or to its specific gift accounts (e.g., Hawkeye Horizons Fund). Creation of an allied organization non-gift fund account requires the approval of a dean's or vice president's office.

b. Faculty members and staff receiving honorariums for speaking or other academic activities may donate honorariums to a University allied organization, or to The University of Iowa subject to the understanding that the honorarium is income to the employee and its transfer to the University or allied organization is a charitable donation.

c. Funds from external sources which are intended to support sponsored research at The University of Iowa, and for which data, reports, or conclusions will be made available to the entity providing the funds or where reporting is required by the entity providing the funds, or where reporting is required by federal regulations, shall be forwarded to the Division of Sponsored Programs for its review and deposit determination.

3.2 Expenditure of Funds on Deposit with University Allied Organizations

(Amended 9/98; 7/1/06)

a. Funds in allied organizations intended for support of University programs must be transferred to the University for expenditure rather than be expended directly from the allied organization. Expenditures directly supporting fundraising or donor prospect development activities will continue to be expended by the allied organization.

b. Expenditures must be in accord with the purposes of the donor-restricted account, if applicable, and adhere to University policies.

c. In cases where the expenditure of funds directly from an allied organization's account is necessary, and is not in direct support of fundraising or donor prospect development, the payment authorization request must include the signature of both the individual who has expenditure control and either the provost or vice president responsible for that area of the University.

d. The only exceptions to these policies must be authorized in writing by the University Chief Financial Officer and Treasurer.

V. Administrative, Financial, and Facilities Policies

Chapter 4 – Cash and Credit Card Receipts

(Amended 9/93; 5/95; 9/97; 9/98; 3/06; 1/08; 2/08; 10/12)

4.1 Receipt of Funds

No money may be received on behalf of the University by any unit without local desktop cash handling procedures approved by Accounting Services. The University cash handling policy requires that every unit administrator and employee responsible for overseeing, receipting, depositing, or reconciling cash and its equivalents undergo the departmental and staff certification process.

Refer to the cash handling policies and procedures document located at the following web address: https://ubill.fo.uiowa.edu/ui-departmental-deposits.

4.2 Deposit of Funds

(Amended 4/03)

Persons authorized to receive money for the University are accountable for all money received by them and must deposit such money promptly at the bank designated by the University. No part of these funds may be used for refunds or to pay bills or expenses unless special approval has been received from Accounting Services.

Refer to the cash handling policies and procedures document located at https://afr.fo.uiowa.edu/cash-handling and to information about the e-deposit system at https://treasury.fo.uiowa.edu/bank-deposit-edeposit-procedures.

4.3 Return Checks

A service charge of $30 will be imposed for each check, ACH payment, or other draft tendered to the University which is subsequently dishonored or otherwise refused by the bank or other payer. Acceptance by the University of any check or other draft shall be only upon this condition, to which the person tendering the check or draft is deemed to have consented.

4.4 Credit Cards

(Amended 3/06; 10/12; 4/14)

Any unit may request authorization to become a University of Iowa credit card merchant by completing a Payment Card Merchant Agreement form. Upon approval by the University Controller, Treasury Operations will assist the new credit card merchant by providing the necessary information and training required to comply with the University's credit card handling policy and payment card industry data security standards. The procedures outlined in the policy are mandatory when processing, recording, and reconciling credit card sales. Under no circumstance should a unit contact any credit card processor to obtain the ability to accept credit cards for the sales of goods and/or services.

Any unit accepting credit cards also must be in compliance with the University of Iowa cash handling policy. Noncompliance with either policy may result in the loss of privileges to process credit card payments and the revocation of credit card merchant status.

Refer to the credit card acceptance and security guidelines document located at:
https://treasury.fo.uiowa.edu/policies-and-procedures/credit-card-acceptance-security-guidelines.

4.5 Change Fund Advances

Requests for advances of cash to be used for making change must be made in writing to Accounting Services. The amount of each advance should be kept at a minimum needed to transact business, and arrangements for safekeeping must be made by the department.

4.6 Miscellaneous Cash Advances

(Amended 2/08)

For events that require cash payments such as freight charges, payments to research subjects, meal charges on sponsored student trips, etc., departments must submit requests for advances in writing to Accounting Services. Each request must provide an explanation of the need for the cash advance. Every reasonable effort should be made to identify an alternative to the use of a cash advance. Alternatives include direct payments, procurement cards, and the use of the ProTrav system for travel advances and reimbursements.

a. Requests for cash advances must be submitted on the Request for Approval of Change Fund or Cash Advance Template form in order to provide the information below:

   (1) purpose of advance;

   (2) length of time the advance will be needed;

   (3) account number and class code to which reimbursements and adjustments will be charged;

   (4) signatures of both the person responsible for the account and the authorized administrator; approval through the University Workflow application is acceptable in lieu of a signature.

b. Submit requests as an attachment to an e-voucher to Accounting Services for approval. Requests for cash advances in excess of $1,000 shall be referred to the Associate Controller or Director of Accounting Services for approval. The requester will pick up a check from Accounts Payable and cash the check at any University of Iowa Community Credit Union location. The requesting department is responsible for safekeeping of the check and cash.

c. When cash payments are required as a consequence of contractual arrangements, a copy of the contract must be presented with the request for an advance.

d. Departments delaying return of advances will not be allowed further advances without either the clearing of those in question or the approval of the Associate Controller or Director of Accounting Services.

e. When the need for the advance is complete, the department must return the unused cash, the Return of Cash Advance form, and receipts to Accounting Services to clear the outstanding advance.

f. All receipts will be verified on advances being cleared. Any questionable receipts will be referred to the Associate Controller or Director of Accounting Services.

g. Receipts from student organizations will require a summary listing approved by an officer of the group and the proper official in the department administering the groups.

h. Change or cash advances cannot be used to cash personal checks unless approved in advance by Accounting Services. Requests for exceptions to this check-cashing policy should be directed to the Controller.

4.7 Prohibited Cash Advances: Local Sports Clubs

(Amended 5/95; 9/97)

Local sports clubs, associated formally or informally with The University of Iowa athletics programs, shall not issue cash advances to students and University employees. The University of Iowa Athletic Department shall assure that all local sports clubs receive periodic reminders regarding their role in support of University of Iowa athletic teams.

4.8 Other Applicable University Policies and Procedures

(Amended 3/06)

See V-2.3(a) Transfers of Funds to The University of Iowa Foundation; V-22 Travel Regulations; and the cash handling policies and procedures document located at https://afr.fo.uiowa.edu/cash-handling.

V. Administrative, Financial, and Facilities Policies

Chapter 5 – Policy and Procedures on Gifts, Grants, and Contracts

(Business Office 3/8/65, Vice President for Research and University Business Office 3/11/91; amended 9/93; 12/96; 12/06; 1/08; 1/09; 3/10; 10/10; 2/11; 5/12; 4/13)

5.1 General

(Amended 4/13)

The policies and procedures contained in V-5.2 through V-5.4 outline the faculty/staff process for obtaining and managing external funding in the form of gifts, grants, and contracts in support of their educational, research, and service activities.

Gifts, grants, and contracts are divided into two groups for the purpose of this section. The first is the formal process in which the sponsor requires the applicant to submit a written application. The second is a more informal process such as a written letter or telephone call to solicit funding, or, in some cases, funds may be received without any prior contact with the funding organization or individual.

5.2 Processing Applications for Gifts, Grants, and Contracts for Which Applications Are Required

(Amended 2/11; 5/12)

a. Preparing applications. Most funding agencies have specific requirements and/or forms for the application process. The Division of Sponsored Programs in the Office of the Vice President for Research is specifically designated as a University resource available to assist faculty and staff with instructions on preparing the proposal application, processing the proposal, and complying with grant submission deadlines. The staff in this office is available to answer questions that may arise with respect to budget format, current University facilities and administrative costs, fringe benefits, cost-sharing requirements, and compliance issues.

b. Preparing the University of Iowa Proposal Routing Form. Each grant and contract proposal for external support should be attached to a proposal routing form and routed through appropriate administrative offices for review and approval, as described at https://dsp.research.uiowa.edu/ui-routing-policy-procedure. Frequent questions for consideration might include:

(1) Does the project fit within the overall educational, research, or service objectives of the department and/or college?

(2) Will the proposed project interfere with the current effort(s) of those involved in the proposal?

(3) Is there adequate space and/or sufficient equipment available to support the proposed activities?

(4) Will human subjects or vertebrate animals be involved in the proposed research?

(5) Are there federal guidelines that must be adhered to as in the case of recombinant DNA, human pathogens, blood-borne pathogens, chemical hazards, or any other safety or health hazard?

(6) Is there a requirement for matching funds, and/or a commitment to other forms of University cost-sharing, and, if so, will these funds and/or other forms of cost-sharing be available at the collegiate or departmental level?

(7) Is there the potential for a conflict of interest with any of the participants should the proposal be funded?

(8) Are there conditions that could subject the proposed project to federal export control regulations?

c. The Division of Sponsored Programs:

(1) forwards requests for University matching funds not available at the departmental or collegiate level to the Vice President for Research and/or the Executive Vice President and Provost for review. Such requests might include funds for research assistants or matching funds for equipment. Requests that might involve renovation costs are forwarded to the University Chief Financial Officer and Treasurer;

(2) forwards proposals requesting new tenure track faculty or a new curriculum program to the Executive Vice President and Provost for approval;

(3) authorizes the submission of the proposal on behalf of the University; and

(4) maintains information about the proposal in a computerized tracking system and provides a monthly report of proposals submitted and awards received to various offices on campus and to the Board of Regents.

d. Review, negotiation, and acceptance of grants and contracts. When notification of award of a grant or contract is received, the Division of Sponsored Programs reviews and negotiates the final terms and conditions of the award with the sponsor and the project director. When the negotiation is complete, those documents that require formal University acceptance will receive the appropriate signature and will then be forwarded to the sponsor for final signature. When all documents are finalized, an Award Authorization Activation Notice is issued by the Division of Sponsored Programs which authorizes the opening of an account by the Grant Accounting Office and also notifies departmental and collegiate officers of the award and its stipulations.

5.3 Project Management Responsibilities

(Amended 1/09)

a. The University, in accepting externally sponsored awards, assures its sponsors that project activities are conducted in accordance with the scope of work and that expenditures incurred under these awards comply with applicable sponsor and University policies. This assurance is not possible unless there is a coordinated effort between the project directors, their departments and colleges, and the University's central administrative offices to properly administer the sponsored awards. Paragraphs b through f below describe the roles played and the responsibilities assumed in the administration of sponsored awards by the project director, the department executive officer, the collegiate administrative officer, the Division of Sponsored Programs, and the Grant Accounting Office.

b. Project director roles and responsibilities. The project director is responsible for the overall programmatic and fiscal direction of the sponsored project. In that role, he or she must decide how best to allocate the financial resources available to successfully carry out the project activities. He or she may require assistance of the department both in processing the routine paperwork associated with the obligation and expenditure of funds and in the regular review of the fiscal status of the sponsored project. The project director is ultimately responsible to his or her departmental executive officer for resolving in a timely manner any overexpenditures or unallowable costs that occur on a sponsored project. The project director's signature on the proposal routing form indicates his or her agreement to assume responsibility for project fiscal management; to abide by all University, governmental, and sponsor certifications, policies, and regulations; and to report any inventions or financial conflicts of interest in accordance with prescribed

University policies (see V-30 University of Iowa Intellectual Property Policy and II-18 Conflicts of Commitment and Interest).

c. Departmental executive officer roles and responsibilities. The Departmental Executive Officer (DEO) is responsible for assuring that costs incurred under sponsored projects conducted within the department comply with sponsor and University policies and are within the resources available to the project directors. Discharge of this important role should follow an established review process and be performed regularly. In the event that project overexpenditures occur, the DEO must cover the overexpenditures from other departmental resources. The DEO's signature on the proposal routing form indicates acceptance of the responsibilities of the department in sponsored projects management.

d. Collegiate administrative officer (dean) roles and responsibilities. The collegiate dean is responsible for general oversight of the sponsored activities conducted within the college. This may include, but is not limited to, assuring that departments have adequate facilities and other resources for achieving project goals and objectives, assuring that faculty time commitments on sponsored activities do not conflict with other departmental or University responsibilities, monitoring departmental financial resources, and assuring that departments are complying with the various regulatory requirements of the sponsors and the University as they apply to sponsored activities. Collegiate deans may also be asked to help provide interim financial support for project directors who experience a temporary loss of external support for their research activities.

e. Division of Sponsored Programs roles and responsibilities. In addition to the responsibilities described in V-5.2 above, the Division of Sponsored Programs is responsible for activities such as preparation and issuance of subcontracts, interpretation of sponsor and University policies as they apply to project management, and acting as the University Authorizing Official signatory on behalf of the Vice President for Research for all correspondence requiring institutional approval. Information regarding the Division of Sponsored Programs is available at https://dsp.research.uiowa.edu.

f. Grant Accounting Office roles and responsibilities. The Grant Accounting Office is responsible for providing a number of post-award services associated with the fiscal management of sponsored projects including, but not limited to, establishing the accounting and budget records for sponsored projects, interpreting sponsor and University fiscal policies for faculty and staff, working with faculty and staff to provide accurate and timely financial information relative to sponsored projects, monitoring expenditures under sponsored projects for compliance with sponsor and University policies and procedures, preparing financial reports to sponsors, carrying out all cash management responsibilities associated with the funding of sponsored projects, and acting as a liaison with other University administrative support units, sponsors, and auditors.

5.4 Transfer of Grant/Change of Project Director

(Amended 3/10)

a. Transfer. A project director leaving The University of Iowa and relocating to another institution may, in some instances, transfer externally funded research projects to the new institution. The procedure for transferring grants and contracts from The University of Iowa to another institution and the corresponding Grant Transfer Request Form are posted at https://dsp.research.uiowa.edu/transferring-grants-and-contracts-and-ui#fromUI. Since each case is unique, personnel from the Division of Sponsored Programs may provide additional procedures when applicable.

   If equipment items purchased through existing grants are requested to be transferred, the project director must complete the Title Transfer of University Equipment Form posted on the Capital Assets Management website at https://cam.fo.uiowa.edu/content/forms-and-instructions. Final approval regarding equipment transfers will rest with the Business Office.

b. Withdrawal. If the project director relinquishes the primary direction of the project, the sponsor, the departmental and the collegiate officers, and the Division of Sponsored Programs should be notified immediately in writing. If appropriate, the University may request continuance of the project under the leadership of another project director. The qualifications and background on the proposed new project director should be recommended at the departmental level, and approved by appropriate collegiate officers as well as the Vice President for Research and Economic Development. The University procedure for requesting a change in project director is outlined at https://dsp.research.uiowa.edu/change-project-director-internal-procedure.

5.5 Facilities and Administrative Costs

Facilities and administrative (F&A) costs, formerly known as indirect costs, are real costs to the University that cannot be directly identified with and charged to a specific project. F&A costs include the costs of operating and maintaining buildings and grounds, equipment, and libraries, as well as administrative costs at the institutional, collegiate, and departmental levels. Since it is not practical to identify the F&A costs applicable to each specific project, these costs are grouped into pools and distributed to those activities of the University such as instruction and research in accordance with the requirements specified in the federal Office of Management and Budget Circular A-21, "Cost Principles for Educational Institutions." The end product of this cost distribution process is an F&A rate or series of F&A rates approved by the federal government as the basis for determining the amount of F&A costs chargeable to individual grant and contract awards. These costs are generally charged to all external grants and contracts unless the sponsor's written policy prohibits or limits such reimbursement. Additional information regarding charging F&A costs to grants and contracts is available at https://dsp.research.uiowa.edu/facilities-administrative-fa-costs.

5.6 Gifts and Grants

(Amended 3/10; 10/10; 4/13)

a. Proposals for grants or other awards to support UI faculty, staff, and student research must be processed through the appropriate University administrative offices and forwarded to the University's Division of Sponsored Programs. If the proposal is directed to a corporate and foundation sponsor that has designated The University of Iowa Foundation to officially request/accept the funds, DSP will forward the proposal to the UI Foundation for submission to the sponsor after required University approvals have been obtained. In general, proposals that would be funded by a contract or any form of agreement having specific conditions for performance, such as pharmaceutical clinical trials, should not be forwarded by The University of Iowa Foundation or designate that The University of Iowa Foundation receive the funding.

b. The University of Iowa Foundation, the preferred channel for private gifts to The University of Iowa, may accept grants and grant agreements on behalf of The University of Iowa. The funds the Foundation receives for sponsored research will be transferred to University accounts on a timely basis as they are needed for use by the University faculty, staff, and students conducting the sponsored activities. Such funds are not to be expended directly from Foundation accounts, but rather must pass through University accounts. The University, and not the Foundation, will be responsible for accounting for and reporting on the expenditure of these funds, providing technical and other required reports to the sponsor, and adhering to all other terms and conditions of the award. Prior to their acceptance by the Foundation, all such awards including copies of letters of transmittal or agreement shall be reviewed by the Division of Sponsored Programs to determine their acceptability by the University.

c. Gifts and grants not requested through an application process. The checks for gifts and grants received directly by University units, together with the correspondence or copies of correspondence relating to the specific purposes or conditions of usage for the gift or grant, are forwarded to the Grant Accounting Office (gifts) or the Division of Sponsored Programs (grants). This provides information for establishing grant account numbers and administering the gift or grant according to the wishes of the donor. Checks that are not considered true gifts should not be deposited in gift accounts. Examples may include income received from miscellaneous sales and services that are more appropriately associated with other organized activities being conducted in University departments.

For additional information on external funding procedures, please see the Guidelines for Defining, Requesting, and Receiving Gifts and Sponsored Project Funding available through the

Division of Sponsored Programs website at https://dsp.research.uiowa.edu/new-guidelines-distinguishing-gifts-and-sponsored-project-funding.

5.7 External Funding for Alteration of an Existing Structure or New Construction

(Amended 3/10)

Applications seeking external funding for this purpose are generally developed in conjunction with the University Chief Financial Officer and Treasurer. Prior to developing the application, the Campus Planning Committee makes a recommendation to the President about the project and its location. With these approvals, all plans, compliance statements, and cost estimates must secure the approval of the Board of Regents prior to submission.

5.8 Other Policies Governing Externally Sponsored Activities

(Amended 3/10; 10/10)

For additional internal and external policies and procedures governing externally sponsored activities, see the following websites:

Division of Sponsored Programs policies and procedures: https://dsp.research.uiowa.edu/policies-and-procedures

Grant Accounting Office policies and procedures: https://gao.fo.uiowa.edu/policies-procedures

Office of the Vice President for Research policies and compliance: https://research.uiowa.edu/researchers/policies-and-compliance

Research Administration Handbook: https://dsp.research.uiowa.edu/rah/research-administration-handbook

Researcher Handbook: https://researcherhandbook.research.uiowa.edu

University of Iowa Research Foundation: https://uirf.research.uiowa.edu

Additional information may be obtained through the Division of Sponsored Programs (100 Gilmore Hall) and the Grant Accounting Office (118 South Clinton Street).

(See also V-1.2.)

V. Administrative, Financial, and Facilities Policies

Chapter 6 – Contracting

(Revised 12/96; 3/05; 7/10)

6.1 Contracting Authority

The President has delegated authority for signing agreements and contracts for the University as set forth below.

a. Authority of Board. The University of Iowa is governed by the Board of Regents, State of Iowa, under Chapter 262 of the *Iowa Code*. Among the powers and duties of the Board are management and control of the properties, both real and personal, belonging to the University, directing the expenditure of all appropriations made to the University and of any other monies belonging thereto, and the performance of all other acts necessary and proper for the execution of the powers and duties conferred by law upon the Board. Particularly, these powers include not only management and control of property, but also the administration of trusts and the securing of letters of patent or copyright.

b. Delegation to President. The Board is also empowered to make rules for the governance of the University and has delegated their authority to make contracts and agreements to the President of The University of Iowa pursuant to Chapter 681 of the *Iowa Administrative Code*. The President is empowered to approve agreements and contracts for all goods and services purchased by the institution except for those specifically requiring approval of the Board which include certain agreements for municipal services including fire protection, major capital improvements and related consulting contracts, contracts for the sale, lease for purchase of real property, lease purchase agreements for equipment, and contracts for professional services by outside counsel, architects, and engineers.

c. Delegation by President. The President may further delegate this contracting authority to others. Pursuant to Rule 12.5 (262) of Chapter 681, *Iowa Administrative Code*, the President has delegated the authority to sign:

(1) Contracts relating to:

(a) Employment matters involving deans to the Executive Vice President and Provost;

(b) Employment matters involving departmental executive officers and directors of academic programs to the Executive Vice President and Provost or deans; and

(c) Employment matters involving faculty and agreements to form educational consortia for joint educational projects and for cooperative education to the Executive Vice President and Provost, deans, departmental executive officers, or directors of academic programs.

(2) Applications and agreements for grants for economic development and for research to the Vice President for Research and Economic Development or the Executive Director of the Division of Sponsored Programs;

(3) Nonfinancial agreements including Material Transfer Agreements, Confidentiality Agreements, and Non-disclosure Agreements relating to grants and contracts for economic development and for research to the Vice President for Research and Economic Development or the Executive Director of the Division of Sponsored Programs;

(4) All procurement contracts relating to the purchases of goods and services from sources outside of the University to the Assistant Vice President for Finance and Operations and Director of Purchasing and Business Services, the University's Business Manager, or the Senior Vice President for Finance and Operations;

(5) All contracts relating to the clinical operations of University of Iowa Health Care, including all educational affiliation agreements where University of Iowa Hospitals and Clinics is the site of training or its residents or trainees are receiving training elsewhere, all patient transfer agreements, all outreach agreements, lease agreements for University of Iowa Health Care staff to provide services, physician service agreements, third-party payor agreements, publishing agreements, affiliation agreements involving medical students or residents employed by the University, clinical trial hosting agreements, to the Vice President for Medical Affairs; and

(6) All other contracts and agreements which the President could sign, including specifically pharmaceutical service agreements and all leases of space and other facilities, to the Senior Vice President for Finance and Operations, University Business Manager, or the Assistant Vice President for Finance and Operations and Director of Purchasing and Business Services.

d. Notwithstanding the foregoing, purchases for a department headed by the Director of Purchasing or the University Business Manager, shall be countersigned by a senior official of the University who will have an independent, objective position regarding the transaction when these transactions are $5,000 or greater.

e. Other delegations of the President's contracting authority may be made by the President from time to time.

f. Within the limits prescribed by the Board of Regents or The University of Iowa's *Operations Manual*, the President or any vice president may further delegate the authority that vice president has received to other employees of the University to sign contracts and agreements.

g. The CEO of the University of Iowa Hospitals and Clinics may subdelegate any authority delegated to the CEO to an individual designated to act in the absence of the CEO pursuant to Article II, Section 2(B)(7) of the Bylaws, Rules and Regulations of the University of Iowa Hospitals and Clinics and Its Clinical Staff.

h. No other subdelegate of a vice president or a subdelegate of the President has the authority to further subdelegate the authority granted to that subdelegate.

i. Any delegation or subdelegation made by the President or any other person authorized to make a subdelegation shall be evidenced in writing that is signed by hand or electronically and dated.

j. Those to whom contracting authority has been delegated or subdelegated are responsible for ensuring that contracts have been reviewed and are being entered into for the best interests of the University and in accord with all applicable laws and rules. Those signing contracts must consult with the University Offices of the General Counsel and Risk Management when major and/or non-standard contracts are pursued to minimize exposure to the University. Likewise, those signing contracts shall consult with the Office of Finance and Operations should they have any question regarding the University's financial capacity to perform pursuant to the contract.

6.2 Consultant and Independent Contractor on Grants and Contracts

(President 4/30/76; amended 7/93; amended 9/93)

a. Policy. When necessary to accomplish the goals of externally funded grants and contracts the University contracts for limited services from consultants and independent contractors. These guidelines and procedures have been established to assist the project director, and his or her department and dean in determining the need for, selection of,

and payment for such services.

(1) External Consultants or Contractors. Generally, to undertake such service arrangements, the University satisfies itself that the following factors are present. However, no single factor is necessarily controlling. The contractor:

(a) is subject to the control of the University only as to the results to be accomplished by the work and the University Patent Policy, but not as to the means and methods of accomplishment;

(b) is not subject to discipline or discharge under University personnel policies;

(c) does not have a continuing relationship with the University;

(d) is not a staff member of any state agency or institution;

(e) is paid a fee or contracted amount for services;

(f) has an opportunity to realize a profit or loss in the usual business sense;

(g) follows an independent profession, trade, or business and offers services to the public;

(h) provides services that are not an integral part of the University;

(i) is not provided assistants to help on the job; and

(j) is not provided office space, tools, and materials.

Examples of independent contractors, as defined above, include professional lecturers making a single appearance, short-term professional consultants, physicians, lawyers, and other persons or firms in business for themselves to offer services to the public.

(2) University Consultants. If the consultant is an employee of the grantee institution, the consultation should be across departmental lines and in addition to regular duties; or it must involve a separate or remote operation, and the work performed is in addition to the consultant's regular departmental workload. To determine compliance with the above as well as with other University rules and regulations, the following sections should be consulted: III-17.8 Summer and Winter Session Salaries; III-17.13 Extra Compensation for Participants in On-Campus University-Sponsored Short Courses and Conferences; III-17.6 Extra Compensation for University Faculty and Staff; III-17.17 Supplemental Activities and Extra Compensation; III-17.17(4) Employment on Grants and Contracts Administered by the University; III-17.17(5) Extension Activities; and III-17.15 Staff Remuneration for Materials: Gratuities.

(3) Payments. All payments for such services authorized under these policies and procedures are made directly to the individual providing the services, and not to a third party, except in the case of joint employment with other state agencies in which case the parent agency will be the payee. If payment is from a federal contract, approval must be received by the agency to use the named consultant. The fees for services generally separate transportation and subsistence, which are reimbursed on the basis of actual costs.

(4) Prior Approval. Commitments made without required approval are not University contracts, and the individual making such commitments is personally responsible for any charges that may result therefrom.

6.3 Selecting and Paying for Consultant and Independent Contractor Services and Obtaining Approval

To pay consultants on grants or contracts, approval is obtained from the department and dean on the University Voucher, or Travel Voucher. The Full-time Employee Extra Compensation Voucher must be used to pay University consultants. This is required in order to comply with existing University and federal regulations for disbursing funds for these purposes.

V. Administrative, Financial, and Facilities Policies

Chapter 7 – Facsimile Signatures and Signature Assignment

(Op. Atty. Gen. 1/21/46; 9/8/47; amended 3/91; 9/93; 9/97; 10/00)

7.1 Background

Although the following ruling of the Attorney General was made in connection with the certification of claims by the State Comptroller, the Office of the Auditor of State has ruled that the same regulation applies to signatures by authorized University personnel on requisitions, vouchers, time tickets and similar documents. This ruling is as follows:

A person's signature on certification of claims "may be affixed by stamp or other mechanical means as long as the instrument used is in his general possession and control, is applied by himself or by another with his authority, and is intended by him to constitute his signature."

7.2 Policy

A person's signature on certification of claims may be affixed by stamp or other mechanical device as long as the instrument used is in his or her general possession and control, is applied by himself or herself or by another with his or her authority, and is intended by him or her to constitute his or her signature. When a stamped signature is applied, the person who applies the stamp must initial the stamped signature.

7.3 Delegation of Signature Authority

A person may delegate or assign to another authority to use a signature stamp with the person's name or to sign the person's name. Signature delegation is not permitted in certain situations such as in the signing of medical records. It is the responsibility of the delegator to know the situations in which delegation may not occur. When delegation does occur, it is the responsibility of the delegator to assure that the individual to whom such authority is assigned understands the limits of the delegated authority. Such delegated authority may not be further subdelegated. The person delegating signature authority to another is ultimately responsible for the delegated individual's actions. The delegation of signature authority must be documented in writing and should be reviewed periodically. An example "Delegation of Signature Authority" form can be found on the University of Iowa Electronic Forms website. Completed forms should be kept on file by the department and a new form should be completed if authorized uses or limitations change or if staff terminate employment.

V. Administrative, Financial, and Facilities Policies

Chapter 8 – Approval, Collection, and Disbursement of Optional Student Fees and Optional Academic Student Fees

(Regents 10/19-20/72; 1/10/77; 12/85; amended 9/93)

8.1 Definitions

a. "Mandatory student fee" is an obligation imposed upon a student of the University by Regent and University action.

b. "Optional student fee" is an obligation imposed upon a student of the University at his or her own voluntary request as defined herein.

The two kinds of fees defined above shall be independent of each other in every way. The collection and disbursement of one kind shall not necessarily imply the collection and disbursement of the other kind, and, where they are both collected and disbursed, they shall not be commingled.

8.2 Eligibility for Optional Student Fee Collection and Disbursement

An organization, in order to be eligible to invoke the optional student fee collection and disbursement process by the University as defined herein, must:

a. be a student organization formally recognized as such by the University; and

b. be educational in nature or have an educational purpose; and

c. be politically nonpartisan, nonprofit, and controlled by the student membership or student representatives thereof through a set of known and fair internal governance procedures; and

d. if it is an affiliate or sub-unit of some other organization not a recognized student organization formally recognized as such by the University, be fairly represented in the policy-making organ of that other organization of which it is an affiliate or sub-unit, and, provided that said other organization must itself be in conformance with the requirements of subsections b and c of this section.

8.3 Certification to Solicit for Optional Student Fee

An organization in conformity with V-8.2 shall, subject to the requirements of V-8.5a and b, be certified as authorized to solicit individual obligations by members of the student body for an optional student fee, and The University of Iowa Student Government (hereinafter, the UISG) shall certify that fact to the University, for each such organization meeting either of the two following criteria:

a. a two-thirds affirmative vote of the UISG has been achieved on the issue of authorization for that organization at a duly convened meeting of the UISG; or

b. petitions are received by the UISG, conferring authorization upon the named organization, provided the petitions bear valid signatures of students in twice the number as voted in the most recent all-University election, or thirty-five percent of the student body, whichever is larger, and provided the organization is eligible under V-8.2.

8.4 Retention of Authorization to Solicit

An organization which has been certified as authorized to solicit under V-8.3 and V-8.5b shall retain such authorization until:

a. Authorization obtained under the provisions of V-8.3a is terminated by a two-thirds vote (of those senators present and voting) at a duly convened meeting of the UISG, or

b. Authorization obtained under the provisions of V-8.3b is terminated by the failure of the organization to receive an obligation of optional student fees from the number as voted in the most recent all-University election or fifteen percent of the student body, whichever is larger.

8.5 Procedures and Conditions of Solicitation

An organization authorized to solicit under the provisions of V-8.3 and not having such authorization terminated under the provisions of V-8.4, may solicit funds under the following conditions and by the following procedures:

a. the total amount of all optional student fees solicited shall not exceed $30 per student per tuition term, and no one organization may solicit for more than $2 of those $30; and

b. where more than one organization is authorized to solicit, the organizations shall be judged eligible to participate in the order in which they become currently authorized, until the $30 total limit is reached, and for purposes of deciding precedence the date of the vote shall be controlling for authorizations achieved in accordance with V-8.3a; and the date of receipt by the UISG of sufficient valid petitions shall be controlling for authorizations achieved in accordance with V-8.3b herein; the UISG shall be the judge of disputes as to precedence arising under this provision, and the Senate shall certify to the University which organizations are eligible to participate in what dollar amounts; and

c. the University shall include one or more obligation instruments (for example, a computer card or equivalent form) indicating thereon the name of any organizations certified to it by the UISG as eligible for participation in accordance with V-8.3a and V-8.5b, together with the dollar value of the solicited optional student fee for each such organization, place for the student's authorizing signature, and instructions that if assessment of any optional fee is desired in a subsequent University bill the card should be completed, signed, and returned; the said instrument(s) to be enclosed, in regular materials delivered to all students, such as the registration packet or the first mailed University term bill, in accordance with, for authorizations by petition, the method called for by the petition; at the option of each certified organization educational information may be stated on said instrument or included with said instrument, and

d. each student who incurs an obligation to pay the optional student fee attached to a particular organization in the instrument and under the procedure of subsection c of this section, shall have the amount of that fee billed to his or her account in regular fashion, and

e. each student billed under subsection d of this section shall be released from his or her obligation within a fifteen-day period following the final day for payment without penalty, upon application in writing to the University Billing Office, and

f. each student billed under subsection d of this section, and who pays on the obligation, shall have the payment refunded on the basis of mistaken payment provided he or she applies to the University Billing Office for such refund within fifteen days following the final day for payment without penalty.

8.6 Additional Regulations

An organization receiving optional student fees under the provisions of V-8.5 shall be equally bound:

a. to reimburse the University for all administrative costs incurred by the University in the collection and disbursement of the fees; and

b. to maintain complete and accurate accounting books and records, which shall be available for public inspection; and

c. to use such optional student fees for the benefit of the student community of the University; and

d. to receive all such student fees from the appropriate University account by a single disbursement through that account; and

e. to provide for regular, annual auditing and to file such audits with the University; and

f. to meet any other guidelines promulgated by the University or the Board of Regents in regard to this regulation.

V. Administrative, Financial, and Facilities Policies

Chapter 9 – Fund Solicitation

(Regents 9/11-12/69; amended 1/97; 10/05; 7/06; 2/07)

9.1 General

(Amended 7/06; 2/07)

This policy shall apply only to on-campus solicitations of money or goods by organizations that are neither officially recognized by nor affiliated with this University. Within the meaning of this policy, officially recognized organizations are organizations registered according to the provisions of the *Policies and Regulations Affecting Students* dealing with "Recognition of Student Organizations." Provisions for solicitation by student organizations are found in IV-4.3. Organizations affiliated with this University are organizations like, for example, The University of Iowa Alumni Association or Foundation. This policy does not apply to off-campus solicitations of University staff, to solicitations on campus by United States mail, or to on-campus solicitations by organizations recognized by or affiliated with the University when they are acting within the scope of their organizational purposes.

As used hereafter the term "organization" shall refer only to such non-recognized and non-affiliated organizations.

a. Organizations may solicit money or goods on campus only with prior permission from the Senior Vice President for Finance and Operations.

b. Such permission shall be granted an organization by the Senior Vice President for Finance and Operations provided: 1) the organization is a bona fide charitable organization under 501(c)(3) of the Internal Revenue Code, and 2) the solicitation is sponsored by a University department, college/division, or other major administrative unit. (See VI-5 Central Mail Services.)

c. Organizational solicitations approved pursuant to paragraph b above may be conducted only in the following manner:

(1) The organization will deliver, to the appropriate University official, written copy for the paragraph that will describe the organization on the Annual Enrollment page of University Human Resources Employee Self Service and on the reminder postcard to be delivered by campus mail to all employees working 50 percent time or more.

(2) Solicitations may be conducted only once a year at a time designated by the University.

(3) At the beginning of the solicitation period, the University will post the current year's enrollment information at University Human Resources Employee Self Service and will distribute by campus mail, at University expense, one reminder postcard to all employees working 50 percent time or more. Individual organizations granted permission to solicit pursuant to paragraphs a and b above may, during the specified period and at their own expense, deliver a second reminder postcard to campus mail for distribution to that same group of employees. The information regarding enrollment will remain on the Annual Enrollment page until the next solicitation, subject to change at the University's discretion.

(4) At the written request of any University staff member, the University shall deduct from his or her salary, as permitted by sections 70A.14 and 70A.15 of the *Iowa Code*, and according to rules and limitations specified by Payroll, particular amounts to be paid over to the local United Fund and/or other qualifying charitable organizations (see III-17.18g) that have made such a solicitation pursuant to the above procedure. Otherwise, staff may send their contributions or pledges directly to the soliciting organization.

(5) In addition to the means of solicitation specified in paragraphs (1)–(4) above, the Central Mail Services (see VI-5) may be made available on a cost basis, and not more often than once per annum, to any organization whose application is approved by the Senior Vice President for Finance and Operations according to the procedures specified in paragraph b above. In such cases University staff may respond to such an on-campus solicitation only by sending their contributions or pledges directly to the soliciting organizations.

All other modes of on-campus solicitation by organizations covered by this policy, including personal solicitations, are prohibited except as provided in paragraph d below.

d. Notwithstanding paragraph c above, on-campus solicitations of University employees in the workplace are permitted to benefit a federation of local (community- or county-based) health, education, and human services agencies with whom the University has affiliation by virtue of all of the following:

(1) agencies are used as sites for placement of students for clinical experiences; and

(2) University students, faculty, or staff are significant recipients of the agencies' services; and

(3) University students, faculty, or staff serve in leadership roles for the agencies as board members.

To be eligible to solicit University employees under this policy, the federation must spend a minimum of 80 percent of collected funds in Johnson and surrounding counties. The provisions of c(2) and c(4) will apply to any solicitation conducted pursuant to this section. On-campus personal solicitations by charitable organizations sanctioned under this paragraph will occur under the following protocol:

(a) Timing. The University will designate a two-month period in the fall semester of each year during which solicitation of employees by approved charitable organizations may take place in the form of informational meetings and the distribution of informational literature. No collections of charitable contributions may occur at these informational meetings. In addition, informational one-on-one contacts may occur between employees during the designated two-month period.

(b) Format. Approved organizations may hold informational meetings to inform faculty and staff members of the charitable purposes of the organizations. Such meetings shall not be held as part of any other organized University activity such as a staff meeting but may precede or follow such meetings. Attendance may not be required at informational meetings. Informational one-on-one contacts may occur between employees provided that 1) the contact does not interfere with workplace productivity; 2) no funds, pledges, or other commitments to contribute are transferred at that time; and 3) the contact is between peers based on a similar rank or pay grade and a non-supervisory relationship.

(c) Location. The information meetings may be scheduled in conference, seminar, or faculty/staff lounges if available. Informational one-on-one contacts may occur between employees in work areas but not in public areas where students, patients, visitors, or other non-employees would typically have access, such as parking lots, classrooms, lobbies, dining areas. At no time may employees provide fund solicitation information, in a one-on-one context, to students, patients, visitors, or other non-employees.

(d) Scheduling. Any faculty or staff member may request permission to schedule an informational meeting for an organization in that person's department, college/division, or other major administrative unit. Only one such meeting per organization should be held in an individual department during the annual solicitation period. The request should be made to the departmental executive officer, dean/vice president, or administrator of the affected unit. In addition, the charitable organization shall submit a schedule of planned informational meetings to the Chief Human Resources Officer. With approval from the Executive Vice President and Provost or the Senior Vice President for Finance and Operations as appropriate, major administrative units may implement a more restrictive policy regarding informational one-on-one contacts than described above in (a), (b), and (c) for their respective employees and/or work areas.

9.2 Mass Email Solicitation

(Amended 10/05)

This policy applies only to the on-campus electronic solicitation of money by organizations either within or external to the University when the number of email recipients is 1,000 or more employees. This policy strives to balance the primary use of employee email, which is to conduct University business efficiently, with the desire that University employees have ample opportunity to be engaged citizens of the broader community through donating to worthy charitable causes. In cases where external organizations do not abide by this policy, the University reserves the right to take whatever actions are necessary to block outside email and/or sever the University's relationship with the organization in order to preserve the integrity and efficiency of our systems.

a. External organizations.

(1) Charitable organizations may solicit money on campus only if they obtain prior permission from the Senior Vice President for Finance and Operations or his or her designee.

(2) Permission will be granted an organization by the Senior Vice President for Finance and Operations provided that: 1) the organization is a bona fide charitable organization under 501(c)(3) of the Internal Revenue Code, and 2) the solicitation is sponsored by a University department, college, division, or other major administrative unit.

(3) Charitable organizational solicitations may occur once per year.

(4) The email soliciting contributions must include directions for University employees to contribute directly to the charitable organization.

(5) The University will permit the charitable organization to provide a link on the employee self-service web page for 12 months following the email solicitation. The University also will permit a link on the employee self-service web page for 12 months if the original solicitation was through campus mail as allowed by V-9.1.

b. University colleges, divisions, departments, units, programs, services, and affiliated organizations.

(1) University administrative areas and affiliated organizations may solicit money on campus only if they obtain prior permission from the appropriate dean/director and Provost or vice president. Affiliated organizations must obtain permission from the Senior Vice President for Finance and Operations or his or her designee.

(2) University administrative areas and affiliated organizational solicitations may occur once per year. The Senior Vice President for Finance and Operations is authorized to make exceptions.

(3) The email soliciting contributions must include directions for University employees to contribute directly to the charitable organization.

(4) The University will permit the charitable organization to provide a link at Employee Self Service for 12 months following the email solicitation. The University also will permit a link at Employee Self Service for 12 months if the original solicitation was through campus mail.

V. Administrative, Financial, and Facilities Policies

Chapter 10 – State Sales Tax on Goods and Services

The University is exempt from paying sales tax on the gross receipts from goods and services rendered in fulfilling its purpose as an educational institution. Taxes are collected on the gross receipts of any activities for which an admission fee is charged, including athletic events, theater, concerts, student organization activities, and others. The University collects sales tax on sales of goods, food, and services which are available to the general public.

(See also IC 422.)

V. Administrative, Financial, and Facilities Policies

Chapter 11 – Purchasing

(Amended 9/93; 10/94; 10/95; 9/97; 10/00; 7/01; 1/03; 5/03; 6/04; 12/04; 6/05; 12/05; 7/1/06; 12/13/06; 8/1/07; 10/1/07; 3/08; 11/09; 3/30/11; 10/11; 8/14; 4/16; 11/16; 7/1/17)

11.1 General

(Amended 5/02)

The policies in this chapter apply to the purchase of goods and services from all sources of funds administered by the University.

11.2 Authority for Procurement

The Purchasing Department administers the procurement of goods and services for all University departments by the authority delegated through the President by the Board of Regents, State of Iowa. The Director of Purchasing is vested with authority to obligate the University, while ensuring adherence to the statutes and administrative rules of the State of Iowa and to the policies and procedures of the Board of Regents, State of Iowa, and the University.

11.3 Responsibility and Objectives

The function of the Purchasing Office is the organization and administration of centralized purchasing services for all departments of the University. In providing these services and in accordance with sound business practices, the office seeks to realize for the University the maximum value for every dollar expended.

To achieve this goal, the Purchasing Office has been charged by the President of the University and the Board of Regents, State of Iowa, with responsibility for the following:

a. Securing competitive bids to obtain maximum value from the expenditures of University funds.

b. Maintaining liaison with the vendors that provide goods and services to the University.

c. Coordinating the procurement of goods and services for the academic, administrative, and research departments of the University.

d. Developing sources of supply to assure that the University departments have an adequate number of vendors from which to obtain supplies, equipment, and services.

e. The Purchasing Department follows the Code of Ethics of the National Association of Educational Procurement (NAEP), the professional association serving the purchasing/materials management professionals who support higher education and not-for-profit health care organizations.

11.4 Signatory Authority

The President has delegated signatory authority to bind the University to the Senior Vice President for Finance and Operations and the University Business Manager. The President has further delegated contracting authority to the Director of Purchasing for purchase orders or purchase contracts. Purchasing commitments made by employees who do not have contracting authority are voidable. (See V-6.1 Contracting Authority.)

11.5 Competitive Bidding

(Amended 12/11)

a. General. Competition within a free marketplace provides the best value for the consumer. By encouraging competition among viable vendors, the University strives to obtain goods and services at the best possible cost and quality. Negotiations for purchases, including requests for quotations of prices, must be accomplished through the Purchasing Department.

   The state *Code of Iowa*, federal law, and the Board of Regents, State of Iowa, mandate competitive bidding for the purchase of all University goods and services greater than $25,000 in value.

   Certain purchases involve terms or conditions that require legal or Business Manager review. These include acquisitions of copyright, transportation services, purchases involving a written contract with provisions requiring indemnification, insurance, or involving acceptance of liability risks by the University, installment purchases, lease purchases, or equipment with a unit cost greater than $250,000 or a total purchase cost of $500,000 and greater. Typically, contracts involving such terms or conditions are forwarded by the Purchasing Department to the University Business Manager and/or to the General Counsel's Office for review, as appropriate.

   Regents were made exempt from this law.

   The two most effective formal methods of competitive bidding are the Request for Quotation (RFQ) and the Request for Proposal (RFP). These methods provide:

   (1) Increased savings;

   (2) Exact communication of wants and needs;

   (3) Equal and fair access to all qualified vendors;

   (4) Compliance with University, Regent, state, and federal acquisition regulations and laws;

   (5) Improved information provided by vendors;

   (6) Objective evaluation for awards;

   (7) Services of an experienced purchasing professional; and

   (8) An established contract under which the vendor is legally obligated to perform.

b. Request for Quotation (RFQ). The Request for Quotation is used for acquisitions based solely on cost. The University issues formal RFQs for all goods and services greater than $25,000 in value unless a sole-source justification is received and approved. (See V-11.9 Waiver of Bid Requirements.)

The Purchasing Agent routinely obtains several quotes, seeking the best price available. Purchasing Agents, in concert with the end users, develop specifications and send the RFQs to potential vendors. Vendors may then reply with a bid showing exact price, shipping costs, delivery schedule, payment terms, and other particulars of the items sought.

Purchasing makes the award to the vendor who submits the lowest priced offer whose goods meet or exceed the specifications stated in the RFQ. There is no discounting or manipulation of prices for products that exceed the specifications.

Contact the Purchasing Agent if you have any questions or concerns about a bid, a chosen vendor, or a low-bid product or service. (See Purchasing Policy and Procedure Guide, Appendix E, for a listing of Purchasing Department staff.)

c. Request for Proposal (RFP). The Request for Proposal (RFP) is used for acquisitions based on other significant factors in addition to price. Examples include capabilities, past performance, support, service, warranty and maintenance. It is difficult, if not impossible, to always place an exact dollar figure on the value of these characteristics and services.

   The University uses a statistical assessment method as the standard for making awards based on many factors. The preparation of an RFP is an involved process, often taking weeks or months to generate a precise evaluation. Requesters should plan for this type of acquisition well in advance. The purchasing agent shall award the contract to the vendor whose proposal is in the best interest of the University.

d. Negotiations. With appropriate institutional review, both competitive negotiation and noncompetitive negotiation processes may replace written competitive bidding when the purchase is anticipated to exceed $25,000. The use of negotiated, noncompetitive, and sole-source purchasing procedures must be justified.

11.6 Bid Security

Bid security shall be used in cases where the purchasing agent determines there is a need to protect the interest of the University. The need for bid security may, in part, be determined by the size of the proposed purchase, the item or items being bid, the competitive conditions surrounding the purchase, and the history of such purchases including general reliability of vendors being requested to bid a particular purchase.

Bids requiring security shall be accompanied by and secured only by a cash deposit, cashier's check, certified check, or a bid bond in an amount of 5 percent of the bid. Bids accompanied and secured by any other form of bid security shall automatically be disqualified.

Certified checks and cashier's checks shall be made payable to The University of Iowa. Bid security shall be agreed upon as the measure of liquidated damages which owner will sustain by failure, neglect, or refusal of bidder to honor their offer and accept an award in accord with the contract documents.

Bid security, if in the form of a cash deposit, cashier's check, or certified check, will be returned within 48 hours after the contract has been executed.

11.7 Release of Bid Information

The names of the bidders and the amounts bid shall be supplied to any person upon request after the opening of the bids and as soon as the evaluation of the bids is completed and the award is made. Information will not be released in situations in which the release would provide a competitive advantage to any of the bidders.

11.8 Withdrawal of Bids

Bids may be withdrawn prior to the time set for receipt of bids. Bids may not be withdrawn after that time, except as noted herein, without penalty. (For capital projects, see the *Board of Regents Policy Manual* 2.3.) Only in the event of an obvious and documented error where it would be a manifest injustice to require the vendor to perform, can a vendor withdraw a bid after the time set for receipt of bids. Such withdrawal of bids can be done only upon the recommendation of the institution under procedures approved by the executive director (BRPM 2.2.6v).

11.9 Waiver of Bid Requirements

The Purchasing Department has sole discretion to waive competitive bidding requirements in certain situations, including but not limited to:

a. Immediate need. It can be demonstrated without question that the requiring department could not have foreseen the required purchase in sufficient time for normal purchasing procedures to be used.

b. Emergency need. Life will be endangered, property will be destroyed, or considerable cost will be incurred because of events beyond the control of the department if the procurement is not completed without delay.

c. Sole source. There is only one person or firm that can provide the requirement. No other known person or firm is available with an equivalent service or supply. Departments must complete a sole source justification form (see https://uiowa.edu/eforms/) and receive approval from Purchasing prior to commencing the purchase process.
   In order to justify a sole source purchase, one or more the following criteria must be substantiated in support of the justification:

   (1) Compatibility with existing equipment. This justification may be used if the goods or services are being purchased to directly interface with or attach to equipment of the same manufacturer, and no other manufacturer's goods will correctly interface with existing equipment.

   (2) Compatibility for instructional purposes. This justification may be used if the goods are being purchased to supplement existing equipment in a classroom. The goods must match the existing equipment and is being purchased to provide uniformity for instructional purposes.

   (3) Compatibility for research. This justification may be used if the main purpose for acquiring equipment or supplies is to replicate specific experiments, using the exact goods that produced the original results. You may also use this justification if you are collaborating with another researcher and can show that identical goods are required to fulfill your part of the research grant or contract.

   (4) Only one supplier can be identified to supply compliant goods or services. In limited cases, only one supplier may exist to provide particular goods or services. When providing a justification based on the availability of one supplier, the goods or services must be defined in generic terms. Specifying patented products or processes, when not necessary to meet functional requirements, is not acceptable as a sole source justification. Justifications can be accepted more readily by providing information regarding attempts to locate other suppliers, such as letters, informal quotations, or telephone contacts.

d. Noncompetitive justification. The following may be reasons for using noncompetitive procurement methods:

(1) Patent rights, copyrights, secret processes, or control of basic raw materials may preclude competition, although they do not in and of themselves always justify using noncompetitive procurement.

(2) Bids have been solicited and no responsive bid (conforming to the central requirements of the solicitation) has been received.

11.10 Purchases Requiring Regent Approval or Special Handling

(Amended 1/03; 10/11; 4/16; 11/16)

a. Professional service contracts.

(1) Professional service agreements are contracts for unique, technical, and/or infrequent functions performed by an independent contractor qualified by education, experience, and/or technical ability to provide services. In most cases these services are of a specific project nature, and are not a continuing, ongoing responsibility of the institution. The services rendered are predominately intellectual in character even though the contractor may not be required to be licensed. Professional service agreements may be with partnerships, firms, or corporations, as well as with individuals.

(2) Selection of a provider. Professional service agreements for greater than $25,000 must be selected through a competitive Request for Proposal (RFP) process unless the service is a sole source purchase that is appropriately documented. The $25,000 threshold is not based on a one-time cost, but rather on a cumulative cost for ongoing services under the terms of the project engagement. Professional service agreements, which are less than $25,000 over the course of service, may be entered into without using the required competitive bidding process. Total payment to a professional services provider for services provided to any one University department may not exceed $25,000 in a fiscal year, unless subject to competitive bidding or review and approval by the institutional purchasing department. Selection of a professional service provider shall be based on a variety of criteria including, but not limited to, demonstrated competence, knowledge, references, and unique qualifications to perform the services, in addition to offering a fair and reasonable price that is consistent with current market conditions. Additional criteria may be used as appropriate to the circumstances.

(3) Provider accountability. Work requirements should clearly define all performance objectives, work expectations, and project milestones, and hold the contractor accountable for successful completion of the resultant agreement. Requirements may include, but not be limited to, reports, training sessions, assessments, evaluations, or other tangible services.

(4) Provisions of professional service agreements. The following terms and conditions must be addressed:

(a) Performance requirements. Performance requirements should be precise and written in such a way that it can easily be determined if and when the contractor has successfully fulfilled his or her obligations under the agreement. Consequences for noncompliance such as non-payment and/or termination of the contract must also be defined. Scheduled due dates that specify milestone targets must be clearly identified and may include, but not be limited to, regular meetings scheduled to evaluate progress, identification of problem areas to determine actions to be taken to resolve any concerns, dates for formal written reports, required oral progress reports, and contract monitoring requirements.

(b) Period of performance. The resultant agreement must specify a start date and a completion date. While there may be exceptions, in most circumstances an end date to the agreement will be required. If an end date cannot be determined, a maximum time limit or maximum number of hours must be stated. Agreements with organizations are typically written for a specific term of successive years. In some instances, these agreements are annually renewable. Other provisions of an agreement may include a renewal clause beyond the original term of the agreement. Extended term agreements for individuals are discouraged.

(c) Compensation and payment. Compensation and payment terms include elements relating to cost and payment, such as maximum cost (i.e., not to exceed cost), cost per deliverable, hourly rates for individuals providing services, number of hours required, allowable expenses and total authorized-for expenses, and payment and invoicing procedures. Compensation and payment terms should also include a statement as to whether the Regent institution will pay expenses incurred by the contractor and, if so, which ones. Such expenses may include, but not be limited to, airfare (economy or coach class), lodging and subsistence necessary during periods of required travel, expenses incurred during travel for telephone, copying and postage, and private vehicle mileage. If other types of expenses are allowed, they must be clearly defined.

(d) Performance monitoring. The institution shall monitor the compliance with the terms and conditions of the agreement and applicable laws and regulations.

(e) Provision of liability. The provider may be required to show proof of insurance coverage and Workers' Compensation in compliance with statutory requirements, in the form specified by the institution.

b. Moving expenses.

(Amended 3/05; 10/11; 4/16; 10/16)

Department heads or designees may authorize payment of moving expenses for new faculty and staff members from available departmental funds if these funds have been prioritized for such use. Authorization for payment of moving expenses above $3,500 requires approval from the appropriate dean/vice president (or designee). Eligibility and requirements follow: (See also III-9 Hiring and Appointments; BRPM 2.1.4Q.)

(1) Eligible:

(a) Employment:

(i) Minimum rank of assistant professor, or comparable staff ranking (P&S pay level 5 and above).

(ii) Persons expected to be employed full-time and on a continuing basis.

(b) Requests for eligibility exceptions should be directed to the Purchasing, Accounts Payable and Travel prior to committing to reimburse moving expenses to the prospective employee.

(c) Expense:

(i) Payment is for moving household goods only. Payment of certain packing, unpacking, and insurance costs from the former residence to the new local residence is also allowed. To initiate the process the department notifies Purchasing, Accounts Payable and Travel by submitting the Moving Authorization Form at https://uiowa.edu/businessmanager/sites/uiowa.edu.businessmanager/files/wysiwyg_uploads/Moving%20Authorization%20Form.pdf.

(A) Reimbursement for rental trucks as an alternative to contracting with a moving company is permissible.

(B) Incoming faculty and staff may utilize other moving companies only after consultation with Purchasing, Accounts Payable and Travel in order to review the current moving company contracts.

(ii) Guidance in regards to other related expenses such as house-hunting trips and personal travel as the result of the move are found in the Travel Manual.

(2) Ineligible:

(a) Payment is limited to charges for moving household goods. Charges for moving animals, plants, vehicles, boats (including canoes, kayaks, etc.), or firewood are not allowable.

(b) Storage charges are not reimbursable.

(c) Local moves (less than 50 miles) for current employees or employees new to the University are ineligible.

(d) Inquiries regarding questionable items should be directed to Purchasing, Accounts Payable and Travel prior to arranging the move.

(e) This policy does not apply to the moving of laboratory and/or office equipment moving. Contact the University Purchasing Department for these policies and procedures.

c. Other special purchases. For information on the following, see the *Board of Regents Policy Manual* 2.2.6C.v:

(1) Moveable and fixed equipment with a unit cost greater than $250,000 or a total purchase cost of $500,000;

(2) Iowa state industries;

(3) Iowa products and labor;

(4) Targeted small business.

11.11 Purchase of Insurance

Purchase of insurance may only occur via the Office of the University Risk Manager (see V-15 Risk Management and Insurance).

11.12 Delegation of Purchasing Authority

The Director of Purchasing, with the approval of the Senior Vice President for Finance and Operations or the University Business Manager, may delegate purchasing authority to employees who have satisfactorily completed training and who have demonstrated competence and prior compliance with purchasing requirements. The degree and nature of such delegation will be specific for each such delegation and will be stated in writing by the Director of Purchasing. A delegation is subject to being rescinded at any time.

11.13 Master Lease

Purchases of equipment that are to be financed on a lease-purchase or similar basis shall be forwarded to the Business Manager's Office for review and shall contain a summary setting forth the financing cost for comparison with the terms offered for equipment financing under the Regents' master lease agreement.

11.14 Conflict of Interest

(Amended Regents 3/30/11)

It is the policy of The University of Iowa to comply with state and federal law regarding purchases from "conflict of interest vendors" or "employees." A conflict of interest exists when there is a divergence between an employee's personal interests and his or her professional obligations to the University as an employee. Employees conducting business on behalf of the University have a responsibility to do so in a manner that is objective and ethical. The goal of all such business dealings must be to benefit the University. The University is committed to complying with applicable procurement laws and regulations, including requirements that apply to conflicts of interest, as provided by the following:

a. *Iowa Code* 68B.3 and 68B.4

b. *Board of Regents Policy Manual* 2.1.4F

c. Federal Office of Management and Budget (OMB) Circular A-110

11.15 Purchases from University Faculty or Staff

(Amended 5/02; Regents 3/30/11)

a. Definitions.

(1) "Employee":

(a) a paid employee (whether full-time, part-time, hourly, temporary, or student) of a Regent institution or the Board of Regents office;

(b) an employee of another state of Iowa agency (Iowa Department of Transportation, Department of Administrative Services, Department of Human Services, Iowa Department of Personnel, etc.)

(2) "Conflict of interest vendor":

(a) any firm of which any of the above referred persons is a partner or sole proprietor;

(b) any corporation in which any of the above referenced persons holds five percent or more stock either directly or indirectly.

b. General policy.

(1) A conflict of interest arises when a faculty or staff member is or may be in the position to influence the University's business, research, or other decisions in ways that could lead to any form of personal gain for the faculty or staff member or others closely associated with that University employee.

(2) Except as part of official state duties, an official, a state employee, a member of the general assembly, or a legislative employee shall not sell, in any one

occurrence, any goods or services having a value in excess of two thousand dollars to any state agency unless the sale is made pursuant to an award or contract let after public notice and competitive bidding. Employees with private sector employment who sells a good or service to a state agency in the excess of $2,000 after public notice and bid, is required to file a Iowa Ethics and Campaign Disclosure Form within twenty days of making the sale, the total amount of the sale, and the type of goods or services being sold. See *Iowa Code* 68b.3.

(3) Vendors must be reviewed and approved by the Director of Purchasing when there is a disclosure or indication of a conflict of interest.

(4) Services of faculty or staff other than those in established businesses providing such services as outside contractors, unless approved in the budget or in advance by the Senior Vice President for Finance and Operations, are approved only after the purchasing department has determined the services are either uniquely exclusive or otherwise beneficial to the University in comparison to other available sources of the required services.

(5) University faculty or staff members cannot be interested, directly or indirectly, in any contract to furnish material of any kind to or for the University. In addition, participation in direct sales (pyramiding) ventures is considered a direct or indirect interest in a contract and is encompassed by this policy. Based on special approvals, faculty or staff members may be reimbursed for out-of-pocket expenditures on presentation of approved vouchers with receipts or other acceptable evidence of actual amounts paid for items purchased for University use.

(6) Faculty or staff members who would benefit personally from the supplying of goods or services to the University by any prospective supplier may not participate in the decision process leading to the choice of supplier. Specifically, faculty or staff members who have or who reasonably anticipate having either an ownership interest in, a significant executive position in, or a consulting or other remunerative relationship with a prospective supplier may not participate in the recommendation of, drafting specifications for, or the decision to purchase the goods or services involved. Faculty or staff members who know that a member of their family (or any other person with whom they have a personal or financial relationship) has an ownership interest or significant executive position in a prospective supplier are also disqualified from participating in the purchasing of the goods and services. However, faculty or staff members whose sole ownership interest in a potential supplier is held by a fiduciary (such as TIAA-CREF, a blind trust, or a mutual fund) that has the power to acquire or dispose of the interest without consultation with the faculty or staff member are not disqualified from participation in the purchase decision.

When a faculty or staff member is disqualified from participating in a procurement decision, the fact of the disqualification and the reason for it must be reported to others involved in the decision. If necessary, a substitute may take the faculty or staff member's place under procedures established by the Senior Vice President for Finance and Operations. Consult the Purchasing Policy and Procedure Guide for details.

(7) Federal Guidelines In addition to the conflict of interest policy provisions stated above, Office of Management and Budget (OMB) Circular A-110, Procurement Standards, section 42, "Codes of Conduct," imposes additional requirements on federally funded acquisitions concerning conflict of interest situations. It states: "No employee, officer, or agent shall participate in the selection, award, or administration of a contract sponsored by federal funds if a real or apparent conflict of interest would be involved. Such a conflict would arise when the employee, officer, or agent, any member of his or her immediate family, his or her partner, or an organization that employs or is about to employ any of the parties indicated herein, has a financial or other interest in the firm selected for an award. The officers, employees, and agents of the recipient shall neither solicit nor accept gratuities, favors, or anything of monetary value from contractors or parties to subagreements."

11.16 Reference Catalogs

The Purchasing Department maintains a significant file of catalogs, reflecting current prices for equipment, goods, and services for the information of all departments. Negotiations for purchases, including requests for quotation of prices, must be accomplished through the Purchasing Department.

11.17 Requisitions

(Amended 6/05; 8/14)

Departmental requests for equipment, goods, and services are made on the University purchase requisition form. When preparing a requisition for an outside vendor, sign in to Employee Self Service; under FO Applications click on E-Pro (Evouchers & PReqs). For step-by-step instructions for completing a requisition, see the online tutorial Purchase Requisitions Training (pdf). Complete instructions and procedures for preparation and submission are found in the *Purchasing Policy and Procedure Guide*.

a. Workflow approvals.

(1) Two individuals must approve all requisitions. The first approval shall be that of the individual requesting/initiating a purchase, and the second approval shall be that of a departmental executive officer, designated subordinate, dean of the college, or other chief administrative officer.

(2) Requisitions for "advanced" and "expedited" orders, referred to as "confirming orders," enable staff members to make contingency and emergency purchases. Complete procedures are found in the Purchasing Policy and Procedure Guide.

b. General policy. Except as indicated below, acquisitions from outside vendors are made by means of purchase orders issued directly by the Purchasing Department under the delegated authority of the Director of Purchasing.

Purchase orders are created and issued from requisitions initiated by departments. Two individuals must approve all requisitions. The first approval shall be that of the individual requesting/initiating a purchase, and the second approval shall be that of a departmental executive officer, designated subordinate, dean of the college, or other chief administrative officer.

c. Exceptions.

(1) Prepayments of less than$3,000 do not require issuance of a formal purchase order unless required by the vendor. Prepayments under $3,000 are processed by submitting an e-voucher and invoice form, along with appropriate and substantiating documentation, to Accounts Payable. Faxed documentation from vendors is acceptable.

(2) The other non-purchase order alternative is the procurement credit card.

11.18 Requisitions for On-Campus Supplies and Services

(Amended 12/04)

Requisitions for supplies or services from campus sources are sent directly to the supplying departments, such as Printing Services, ITS, Medical Electronics, Medical Instrument Shop,

Facilities Management, Facilities Management-Maintenance Stores, Chemistry Stores, Pharmacy Service, Photographic Service, Graphics Unit, and Audio Visual Center. All service requisitions initiated through Workflow require two signatures: an initiator and an approver. Contact each service department directly for further information.

11.19 Non-P.O. Vouchers and Procurement Cards

Departments hold responsibility for oversight of non-P.O. vouchers and invoice forms and procurement cards subject to compliance with the requirements of V-11.19 and V-11.20 and competitive bidding principles embodying a duty to secure goods and services of the best quality and price.

11.20 Procurement Credit Card

(Amended 11/09; 8/14)

A procurement credit card is available to departments to obtain low-cost, non-equipment items. Procurement card limits are established based upon cardholder need. Single transaction limits may be requested up to $5,000 and monthly limits may be requested up to $10,000. Justification is required for monthly limit requests above $10,000. Departments may have as many cards as required to reasonably meet such procurement needs. With this authority, the department assumes the responsibility to comply with all state, Regent, and University policies governing procurement operations. See the Procurement Card Manual for detailed procurement credit card procedures.

11.21 Voucher Reports and Invoice

(Amended 8/14)

a. General policy. When purchase order invoices are received from vendors, they are audited against the purchase order number they reference. Invoices not referencing a purchase order number may be returned to the vendor or forwarded to the requesting department for this information before they are processed.

   Once an invoice is entered and a voucher created, an email is generated to the requestor, stating that a voucher has been created and requires the department's review. Departments must verify receipt of the item, note the receipt date, and maintain the documentation of receipt within the department. In the event of discrepancies, such as overpricing by a vendor for previously bid or quoted items, sales tax, or freight charges billed in error, Accounts Payable will process the invoice noting this "short pay" action and, when necessary, will review with Purchasing and/or the department. Voucher payments are automatically scheduled within the vendor's payment terms — the earliest of the discount due date or scheduled due date. Vouchers for "Capital Equipment greater than or equal to $10,000" require an electronic receipt to be entered once the items have been received. Once the receipt has been entered, the voucher will be scheduled for payment.

b. Important approval and return procedures. Complete procedures are spelled out in the Purchasing and Accounts Payable Requester's Guide and the Accounts Payable Policies. Highlights are listed below:

   (1) Vouchers should be reviewed promptly to ensure that any cash discounts are processed in the prescribed time period.

   (2) Appropriate department review and/or approval are certification that goods received are as ordered, and charges are accepted.

   (3) Errors, damage in transit, or other problems with orders should be reported promptly to the vendor and Purchasing/Accounts Payable. Purchasing/Accounts Payable will work with the vendor, shipper, and the department to verify damage and initiate any actions necessary to rectify the situation.

   (4) Freight and express charges are normally charged to the MFK shown on the purchase order.

11.22 Items Which May Not Be Purchased

(Amended 9/98; 6/04; 7/1/06)

a. Alcoholic Beverages — see V-11.25 below.

b. Personal items such as desk pen sets, etc., except where necessary by reason of public use.

c. Luxury items — items in which a more elaborate design or appointment has no practical advantage over a less elaborate and more economical item.

d. Printing-related equipment, which unnecessarily duplicates or replaces services provided by University service units. The Printing Department Manager, who shall conduct a need determination and, if necessary, develop equipment specifications on which prospective vendors may base quotations, must approve requests for purchase. Printing-related equipment includes presses, photocopiers, typesetting devices, photomechanical transfer machines, and other graphic arts equipment in use by University service departments, or which performs a service or creates a product already provided on the campus.

e. Motor vehicles, except replacements or those specifically approved by the Business Manager.

f. Entertainment — see V-11.25 below.

g. Personalized items of printing such as letterheads, note pads, memorandum sheets, etc. However, University business cards may be purchased from the University's Printing Department upon requisition by which the ordering department signifies approval of personalized cards for persons whose duties require them to represent the University in business and professional matters.

h. Printing and printing-related work, including photocopying. See VI-21 Printing Department.

For more information on items which may not be purchased on purchase order or procurement card, see the *Purchasing Policies and Procedures Guide*.

11.23 Technology Allowance Policy

(Amended 5/03; 8/1/07; 10/1/07; 3/08; 7/1/17)

a. Introduction. The University of Iowa recognizes that the performance of certain job responsibilities may be enhanced by the provision of communication devices or use of home Internet services. For purposes of this policy, a "communication device" is defined as a cell phone or personal digital assistant (PDA) that allows for two-way communication. "Remote Internet service" is defined as any method for bringing Internet service to a computer for the purpose of performing work-related duties at a location other than a University office. This policy establishes methods for making a communication device or remote Internet service available to employees, in conformance with U.S. tax regulations and practices being adopted at peer institutions resulting from Internal Revenue Service audits.

   Departments and colleges may establish policies that are more restrictive, in terms of eligibility and compensation amount, than this University-wide policy.

b. Acquisition of communication devices and remote Internet. The University will no longer reimburse employees for ongoing business expenses related to communication devices

(cell phones or PDAs with cellular capability, such as Blackberry or Treo) or remote Internet service, except for those circumstances noted under paragraph e ("Special situations") below. Instead, University employees who meet the eligibility requirements for business use will be given a predetermined amount of supplemental compensation to cover the approximate monthly cost of a cell phone or cellular PDA, and/or remote Internet service.

For those who qualify, this policy authorizes the monthly payment of supplemental, taxable compensation as follows: a monthly allowance that is based on the approximate proportion of the service that is used for business purposes, not to exceed the actual monthly service cost incurred by the employee for the communication device or remote Internet service. At the discretion of the employee's departmental administrator, the amount of supplemental compensation can be "grossed up" to negate the additional taxes that will be withheld on the supplemental compensation. To simplify this calculation, the implied tax rate will be 35 percent. The calculation to determine the monthly supplemental compensation is as follows:

Agreed-upon service plan cost / (100% - 35%)

Example:

Cell phone bill = $50 / month
Business use = 50%

Calculation of monthly supplemental compensation:

$50 x 50% = $25
$25 / (100% - 35%) = $25 / 65% = $38.46

c. Eligibility requirements for providing communication devices or remote Internet service allowance. The guiding principle for eligibility is that the use of a communication device or remote Internet service by an employee is for the benefit of the University, rather than for the convenience of the employee. This policy applies only to faculty and professional and scientific (P&S) staff. See paragraph e(1) below for how this policy applies to merit staff.

Specifically, faculty and P&S employees are eligible to receive supplemental, taxable compensation if they meet all of the following criteria:

(1) the employee is classified in the Human Resources system as P&S or faculty; and

(2) the employee's job requires him or her to be readily accessible for frequent contact or critical contact with the public or with University administrators, faculty, staff, or students; and

(3) the requirement for accessibility extends to time away from campus (at home or traveling), involves on-call responsibilities, or the employee's job limits his or her access to regular land-line telephones or Internet access that would satisfy the required business communication needs; and

(4) a strong business case can be made that supports the University incurring the cost of the service.

d. Equipment costs. Departments may make a one-time taxable payment to the employee through the payroll system not to exceed the actual documented cost of the equipment. When applicable, these types of reimbursements may not be made more than once every two years. In all cases, the employee assumes ownership and all maintenance responsibility for the equipment.

e. Special situations.

(1) Departmentally owned contracts with pooled-minute plans. Certain units may have special needs that justify departmental ownership of cell phones with a pooled-minute plan. Delivery drivers, maintenance personnel, custodians, information technology services, nursing unit rotations, security, parking ramp personnel, and police officers are examples where phones are assigned or rotated among employees. This would also include organizations that have multiple employees sharing a single cellular phone for on-call rotations. Faculty and staff may qualify for only intermittent and temporary use of departmentally owned cell phones, when the department determines there is a valid, documented business need. In this instance, the communication device can be provided to the employee under a pooled-minute plan for the department. Routine personal calls are not allowed on these contracts and are considered a violation of University policy.

(2) Pagers. Some departments currently use pagers for their communication needs. Since the cost of pagers is very nominal and because potential personal use does not pose a financial risk to the University, it is recommended that departments pay for pagers directly, therefore eliminating the reimbursement of these expenses.

(3) Exceptions. Employees who do not qualify for the supplemental compensation may submit an expense reimbursement request for occasional, incremental business expenses. Incremental business expenses are those calls that result in additional costs that are above and beyond the employee's normal calling plan (e.g., excess minutes, roaming charges).

When requesting reimbursement, the telecommunication expenses incurred by employees must be additional (incremental) costs and must be substantiated and documented with a copy of the bill in accordance with University policy and with applicable federal and state laws and regulations.

An example of a bona fide policy exception would be occasions where employees are traveling for University business and make calls to home or work that involve roaming charges. The University may reimburse those employees for their additional out-of-pocket roaming charges.

(4) International expenses. For employees who receive supplemental compensation, this policy allows for reimbursement of incremental expenses incurred when international travel is involved for official business calls and data transfer.

f. For further guidance on interpretation of this policy, please refer to the question and answer document at https://uiowa.edu/ap-purchasing/technology-policy.

11.24 Guidelines for Accounting for Equipment That Is On Trial, Loan, Demonstration, or Evaluation from a Vendor and Not Owned By the University

See Purchasing Policies and Procedures Guide, Appendix B, "Protocol for Obtaining Equipment on a Trial Basis."

For additional information and procedures, see the Purchasing Policies and Procedures Guide.

11.25 Food, Beverage, Flowers, Gifts, and Similar Incidental Expenses

(Amended 6/04; 7/1/06; 12/13/06)

a. Food and beverage expense (paid from any source of funds) and alcohol (if paid from an agency fund 950-997 or from a gift fund 520) may be approved for reimbursement if the following conditions have been met:

(1) Justification — a written justification documenting a clear University purpose for incurring the expense. The justification should include an explanation of why food or beverage was required at the meeting if it is not evident by the nature of the event. Examples of University purposes include but are not limited to the following:

(a) Business meetings,

(b) Recognition events,

(c) Recruitment,

(d) Training,

(e) Guests performing a service,

(f) New employee orientation,

(g) Lectures, symposia, presentations, and

(h) Student orientation and support events.

(2) Allowable maximum amounts for business meals. Allowance for food and beverage expense is limited to an average of $55 per person per meal if food only or an average of $75 per person per meal for food and alcohol combined.

Note: All rates are exclusive of taxes and tips.

(3) Process for exceptions to exceed allowable business meal maximum amounts. Occasionally, the cost of providing meals or refreshments exceeds the maximum allowable meal amounts listed above. In these cases, the request for payment or reimbursement must be approved by the dean, department head, or budget officer, and will be routed by Accounts Payable for approval by the Executive Vice President and Provost, or the Senior Vice President for Finance and Operations, or their designees.

(4) Business meals while in travel status. When an employee is on travel status and the primary purpose of a meal is to conduct University business with individuals not employed by the University, the names and business affiliations of the participants, as well as the business purpose of the meeting, must be provided. The meal charges are subject to the limitations listed in this policy, and an itemized receipt of the charges must be submitted with the travel reimbursement form. The per diem allowance for the traveler must be reduced by the appropriate meal allowance in lieu of the business meal provided. Travel reimbursement is subject to the guidelines in V-22 Travel Regulations.

(5) Recognition events. Reimbursement for recognition events is contingent upon the department having an approved "Rewards and Recognition" plan on file in the department.

b. Flowers, gifts, and other similar incidental expenses may be approved for reimbursement from any fund if a clear University purpose for incurring the expense is documented in writing. Examples of University purposes include but are not limited to the following:

(1) Death, birth, or other significant event in the lives of employees, family members, important dignitaries,

(2) Recognition events,

(3) Special events sponsored by a vice president or dean, and

(4) Special University-wide events.

c. Requests for payment or reimbursement require two approval signatures. The person coordinating the event should sign. For purchases containing alcohol, one of the following must approve reimbursement: the DEO, business officer of the college or division, or dean or vice president of the employing division. Delegation of signatures for the purchase of alcohol is not permitted.

d. For further guidance on interpretation of this policy, please refer to the question and answer document at https://uiowa.edu/ap-purchasing/sites/uiowa.edu.ap-purchasing/files/faqs_food_and_beverage_revised.pdf.

11.26 Convenience Copier Acquisitions

(Amended 12/05)

The Purchasing Department handles convenience copier acquisitions and record keeping for all University Departments.

V. Administrative, Financial, and Facilities Policies

Chapter 12 – Equipment and Personal Property of the University

(Amended 9/93; 10/94; 9/97; 9/99; 9/00; 10/03; 6/04; 7/05; 3/06; 11/06; 3/07; 4/08; 1/09; 2/11; 4/14)

12.1 General

(Amended 1/09)

The University is required to have policies and procedures in place to comply with state and federal property management standards. This chapter describes the general policies and procedures established by the University to comply with those standards and provides guidance to faculty and staff on the various aspects of equipment management. More information concerning specific operating procedures can be found at the following Capital Assets Management website: https://cam.fo.uiowa.edu.

12.2 Definition of Equipment

(Amended 7/05; 3/06; 1/09; 4/14)

The Federal Government defines equipment as an item of non-expendable, tangible personal property, having a useful life of more than one year and an acquisition cost which equals or exceeds the lesser of the capitalization level established by the recipient organization for financial statement purposes, or $5,000. Since the University's definition of equipment must conform to the federal government definition, it has established a capitalization level of $5,000 and a useful life of more than one year (including fabricated equipment) for all departments. Purchased and internally developed software have capitalization thresholds of $500,000 as set by the State of Iowa in compliance with updated accounting standards.

For assets that are funded by more than one funding source, the asset will be capitalized and depreciated based on the total cost basis.

Each item of equipment acquired will be assigned a serially numbered University tag. Non-capitalized items (valued at less than the appropriate University threshold) may be identified with an unnumbered tag furnished by Capital Assets Management. These tags will be marked "Property of The University of Iowa." University equipment that is federally titled must also be tagged with a government label that indicates federal ownership and the applicable federal agency.

12.3 Title to Equipment

All equipment purchased or otherwise acquired by the University for the conduct of activities related to its mission is considered University property upon acquisition unless otherwise noted. Specific exceptions to this policy include equipment furnished to the University by the federal government for use on federally sponsored projects, equipment purchased for use on federal contracts, and other equipment loaned or contracted to the University by public or private entities. The University may request the transfer of accountability for federally titled equipment to other federal projects once the original project has been completed or it may request outright title to the equipment if the equipment continues to be utilized for similar activities. The Grant Accounting Office, 118 South Clinton Street, should be contacted for instructions when a department wishes to transfer accountability or request outright title to federally titled equipment.

12.4 Equipment Screening and Purchase

(Amended 1/09)

In order to maximize University resources, departments are asked to avoid the purchase of items of scientific equipment that are currently accessible, available, and suitable for sharing. An item of scientific equipment would not be considered suitable for sharing if the nature of the scientific problems being addressed and/or the time schedules indicated in the scope of work under a sponsored project require the dedicated use of the equipment item throughout the life of the project. The University's equipment inventory system contains information on the make, model number, location, and custodian of scientific equipment that may be searched for a needed item of scientific equipment deemed suitable for sharing.

Departments and colleges submitting applications for external project funding that contain equipment requests are asked to certify that, to the best of their knowledge, no comparable piece of equipment is available for use in conducting the proposed project activities. A similar statement appears on equipment requisitions that are forwarded to Purchasing for approval and processing. Departmental and/or collegiate approval of an equipment requisition is deemed evidence that appropriate measures have been taken to assure the purchase is necessary and that the funds for the purchase are appropriate. (The National Aeronautics and Space Administration and the Department of Defense agencies may require that equipment costing in excess of $5,000 go through an agency screening process prior to purchase. Departments acquiring equipment under agreements with these agencies should contact the Grant Accounting Office for instructions.)

All equipment purchased by the University for the conduct of activities related to its mission must follow the procurement policies and procedures outlined in the *Purchasing Policy and Procedure Guide*.

12.5 Equipment Acquisition, Disposition, and Transfer

(Amended 3/07)

Since the University acquires and disposes of equipment on a daily basis, it is necessary to employ standard operating procedures when processing the various types of acquisitions, dispositions, and transfers.

a. Acquisition. Equipment acquisitions result from purchases, donations, receipt as federal government-furnished (federally titled) property, receipt as state surplus/excess property, or transfers from another institution associated with an incoming faculty member.

b. Disposition. Dispositions of equipment result from declarations as surplus property, trade-ins, cannibalizing for parts, or transfers to another institution associated with a departing faculty member. Surplus property must be transferred to the Surplus Department for appropriate disposition.

c. Transfer. Transfers of equipment between University departments can occur only when equipment will remain property of the University and the receiving department agrees to use the equipment for University purposes. Transfers of computer-related equipment must follow the Computer Data and Media Disposal Policy.

The responsibility for providing Capital Assets Management with all required information for individual equipment inventory records lies with the department initiating the acquisition, disposition, or transfer of the equipment item(s). When submitting a requisition, departments must include the tag number(s) of any asset(s) being traded in. Federally titled assets require disposition to be received prior to the asset being valid for trade-in (see V-12.3 above and V-12.13c below). For other types of acquisitions, as well as for dispositions and transfers, Capital Assets Management has designed several forms to record the required information. These forms and the instructions for their completion are available at the following website: http://cam.fo.uiowa.edu/content/forms-and-instructions.

12.6 Addition of Equipment for Incoming Faculty

The responsibility of accounting for the addition of equipment to the University lies with the departmental executive officer of the incoming faculty member's department. The Additions Request form and the detailed instructions for implementing such an addition may be obtained from Capital Assets Management or are available at the following website: https://cam.fo.uiowa.edu/content/forms-and-instructions.

12.7 Addition of Federally Titled Equipment

a. By purchase. Items of equipment purchased with federal monies and considered as federally titled assets by the funding agency will be so designated by the Grant Accounting Office.

b. Furnished by the federal government. Assets furnished by the federal government or its agencies must be reported to Capital Assets Management by use of the CAM Additions Request Form (https://cam.fo.uiowa.edu/content/forms-and-instructions).

12.8 Title Transfer of University Equipment for Departing Faculty

The responsibility of accounting for the transfer of equipment from the University lies with the departmental executive officer of departing faculty member's department. The Title Transfer of University Equipment form and the detailed instructions for implementing such a transfer may be obtained from Capital Assets Management or are available at the following website: https://cam.fo.uiowa.edu/content/forms-and-instructions.

12.9 Reporting Loss, Theft, or Destruction of Property

(Amended 2/11)

a. University property: Any University property, including items of equipment, supplies, foodstuffs, etc., stolen or otherwise missing must be reported to the University Department of Public Safety, 808 University Capitol Centre, at the time it is discovered missing. Public Safety personnel will assist the department in locating the missing property. Within 24 hours these losses also shall be reported to the Department of Risk Management, Insurance, and Loss Prevention, 430 Plaza Centre One, https://uiowa.edu/riskmanagement/. If the property is not located within 48 hours after it was first reported missing, the incident must be reported in writing to the University Risk Manager, outlining the circumstances under which the property was lost or stolen and the measures taken to locate and return the property. An equipment deductions form must be submitted to Capital Assets Management, 6th floor Jefferson Building, when it is determined the asset will not be found or returned (typically 60 days from date of loss).

b. Federal property: In addition to reporting the loss, theft, or destruction of federally titled property to the University Department of Public Safety, as in paragraph a above, written notification must also be made to the Grant Accounting Office, 118 South Clinton Street, so that the incident can be reported to the applicable federal agency.

(See also V-20 Lost or Stolen Property.)

12.10 Private Use of Public Property

(Amended 8/85; 11/06)

No public officer, deputy, or employee of the state or any governmental subdivision thereof, having charge or custody of any automobile, machinery, equipment, or any other property owned by the state or a governmental subdivision of the state, shall use or operate the same or permit the same to be used or operated for any private purpose (IC 721.2). In addition, no public officer, deputy, or employee of the State of Iowa or any governmental subdivision thereof shall, either directly or indirectly, make use of the purchasing power of the State of Iowa or said governmental sub-division for any private purpose. (See also II-18.1d(5) Conflict of Interest.)

12.11 Library Books

Library books are catalogued in the University Library where detailed records of the book inventory are maintained. The libraries furnish Capital Assets Management with annual reports for proper update to the central assets records. The annual report from the Main Library and the Law Library must be provided on a timely basis and will include the annual expenditures for collection additions by fund, the amount of gifts-in-kind, the number of volumes added, the number of volumes withdrawn (lost, destroyed, etc.). Capital Assets Management will post the library collection additions and withdrawals to the asset management system for reporting to the University's Annual Financial Report. All negotiations leading to gifts and bequests of such materials must be submitted to the University Librarian before commitments are made. (See also V-1.2.)

12.12 Off-Campus Use of Property

a. Short-term use: When any equipment belonging either to The University of Iowa or to the federal government, and under the custody of The University of Iowa, is going to be used off-campus for periods up to six months, this off-campus use shall be approved by the appropriate departmental office. Such records are to be maintained in departmental offices and do not need to be sent to Capital Assets Management (departments may utilize the Off-Campus Use of Property form).

b. Long-term use: When any equipment belonging either to The University of Iowa or to the federal government, and under the custody of The University of Iowa, is going to be used off-campus for periods longer than six months, this off-campus use shall be approved by the appropriate departmental office and that office shall notify Capital Assets Management in writing (Off-Campus Use of Property form) as to the University number, asset description, location, custodian (person responsible), and the expected return date.

Note: The Off-Campus Use of Property form and the instructions for completion are available in Capital Assets Management or can be found at the following website: https://cam.fo.uiowa.edu/content/forms-and-instructions.

12.13 Works of Art

a. Acquisition. Works of art given to the University or purchased with funds subject to the control of the University are to be regarded as property of the University, subject to all policies concerning the disposal of University property. In addition, works of art may be subject to the Federal Copyright Act and the Visual Artists Rights Act, which may confer certain continuing rights to the artist. Acquisitions of art by the University Museum of Art are considered part of the Museum of Art's collection and are assigned accession numbers by the Museum of Art. The Museum of Art also maintains its own inventory system of its art collection and on a regular basis reports all acquisitions to Capital Assets Management for financial reporting purposes.

b. Disposition. Departments wishing to dispose of a work of art must notify the Director of Facilities Management. Operating with the advice of the Art on Campus Committee, the Director of Facilities Management will determine whether the work should be moved to another site on campus, offered for sale, or disposed of in some other manner consistent with University policy and federal law.

c. De-accession. De-accessions of Museum of Art collection items will be according to the recommendation of the Director of the Museum of Art, in consultation with the curatorial staff and the Museum Advisory Committee and approval of the Executive Vice President and Provost. De-accessioned objects will be sold or disposed of in a manner consistent

with University policy and federal law.

12.14 Equipment Capitalized as Part of Construction Project

(Amended 4/08)

The University of Iowa has an equipment capitalization threshold of $5,000 for all individual asset purchases. However, an exception to this policy exists when equipment is acquired as a component of a construction project. In these situations equipment items below the University's capitalization threshold of $5,000 that are part of the building project are grouped (bundled) together with other similar asset classifications and capitalized in the University's capital asset management system.

12.15 Equipment Inventory Reporting Requirements

a. Physical inventory. Each department is required to conduct a complete physical inventory of equipment every two years. Any additions, deletions, transfers or corrections discovered during the biennial physical inventory must be reported to Capital Assets Management on the appropriate CAM reporting form, i.e., Additions Request form, Deductions Request form, Internal Transfer of University Equipment form. Departments should coordinate the physical inventory effort with Capital Assets Management. Capital Assets Management can provide bar code scanners with which to take an initial inventory or with a listing of the departments current inventory. Upon completion of the department's physical inventory, the departmental executive officer must sign any applicable equipment adjustment forms and forward them to Capital Assets Management, along with an approved, signed certification letter, certifying that the physical inventory has been completed. Physical inventories should be completed in a timely manner to ensure that the property records are up to date and that the recording of the depreciation of equipment, where appropriate, is accurate.

b. Spot checks. Spot checks may be performed by Capital Assets Management to test the validity of the biennial inventories received from departments. In general, inventory spot checks may be undertaken in any department responsible for more than 200 assets. If a sufficient number of discrepancies is noted during a spot check, the department may be asked to perform additional work on the inventory before the physical inventory is accepted by Capital Assets Management.

c. Federal compliance. The federal government requires the University to audit its federally titled assets each year and conducts its own audit once every two years. Departments holding federally titled equipment must annually provide appropriate information to Capital Assets Management for validating and updating the location, custodian, and condition of these federally titled assets. The departments also need to provide disposition requests when appropriate. The Grant Accounting Office is responsible to submit the disposition requests to the appropriate federal agency and for the government award closeout process as defined by the Department of Defense Property Manual 4161M. Submission of year-end property reports (i.e., DoD 1662, NASA 1018, and grant reports) is the responsibility of the Grant Accounting Office.

12.16 Equipment Tagging

(Amended 6/04)

The physical tagging of capitalized equipment is the responsibility of any department acquiring equipment to be capitalized. Capital Assets Management will assign tag numbers for such acquisitions and will send tags to either a designated department representative, to the custodian if appropriately noted by the department, or to the requestor noted on the requisition. Departments must tag assets in cooperation with Capital Assets Management and verify various information, e.g., serial number, model number, custodian, location, etc.

12.17 University Surplus

(3/17)

a. All University-owned items must be disposed of by University of Iowa Surplus.

b. UI Surplus will dispose of the property in one of the following ways:

(1) Use as a trade-in;

(2) Transfer to another Regent Institution, state agency, or Iowa government entity;

(3) Sell to the highest bidder after soliciting three or more bids;

(4) Auction to the highest bidder;

(5) Sell internally through UI Surplus sales open to the public;

(6) Dismantle for parts utilization;

(7) Dispose of in the best interest of the institution if de minimus residual value.

c. Departments receive reimbursement for items selling for more than $300. Sales-related expenses are deducted from the selling price.

V. Administrative, Financial, and Facilities Policies

Chapter 13 – Internal Audits

(Regents 4/93; 10/94; 1/09)

13.1 Purpose

The Board of Regents, State of Iowa, authorizes the President of the University to hire internal audit staff to provide independent appraisal services to institutional administrators and the Board. Internal auditing is a managerial control which functions by measuring and evaluating the effectiveness of other financial and managerial controls.

13.2 Objective and Scope

The objective of internal auditing is to assist institutional administrators and the Board of Regents in the effective discharge of the responsibilities by furnishing them with analyses, appraisals, recommendations, and pertinent comments concerning the activities reviewed. The attainment of this objective involves such activities as:

a. Reviewing and appraising the soundness, adequacy, and application of accounting, administrative, and other operating controls, and promoting effective control at reasonable cost.

b. Ascertaining the extent of compliance with established policies, plans, and procedures.

c. Ascertaining the extent to which assets are accounted for and safeguarded from losses of all kinds.

d. Ascertaining the reliability of management data developed within the organization.

e. Conducting special examinations and reviews at the request of institutional heads, the Audit Committee, or the Board of Regents.

f. Evaluating the economy and efficiency with which resources are employed and recommending improvements in operations.

13.3 Authority

The Internal Audit Department is authorized by the Board of Regents to conduct a comprehensive program of internal auditing. To accomplish its objectives, the internal auditors are authorized to have unrestricted access to University functions, records, properties, and personnel. (See BRPM 2.2.9.)

13.4 Reporting

The Department of Internal Audit reports administratively through the Office of the President. All employees (other than the Chief Audit Executive) are University of Iowa employees. As a result, the Department of Internal Audit reports functionally to the President. In order to ensure its independence, the Internal Audit Chief Audit Executive administratively reports to the Executive Director of the Board Office and the Chair of the Audit and Compliance Committee.

13.5 Responsibility

Each year, the Internal Audit Department will develop and execute a comprehensive audit plan to be conducted in accordance with applicable professional auditing standards. A comprehensive report on the internal audit function will be made to the Board through the Audit Committee in August of each year.

The report will include the annual audit plan, review of all previous fiscal year audits completed and in progress, including any follow-up reviews and any audits which were scheduled but not done, and a list of all audits completed within the last three fiscal years. A copy of each audit report and follow-up review, upon its completion, will be sent to the Board Office.

Any activity which is illegal or the legality of which is questioned by the audit staff (e.g., conflict of interest, embezzlement, or theft) shall be reported to the appropriate institutional administrator or President of the Board (consistent with V-13.4) immediately upon discovery by audit staff.

In performance of their functions, internal audit staff have no direct responsibility for, nor authority over, any of the activities and operations reviewed.

V. Administrative, Financial, and Facilities Policies

Chapter 14 – Ticket Regulations

(Amended 9/93; 4/14)

14.1 Intercollegiate Athletics and Hancher Auditorium Tickets

(Amended 4/14)

Unused tickets shall be reconciled and retained for audit by the Internal Audit Department. A listing of the names to whom complimentary tickets were issued must also be retained for audit. All unused tickets will be destroyed as soon as possible after the audit.

14.2 Other Tickets

a. Tickets to any student organization event or to any departmental event, held in the Iowa Memorial Union, are to be audited by the University Box Office Manager. Both used and unused student organization tickets are to be returned to the Box Office for auditing.

b. A list of the names to whom complimentary tickets were issued must accompany the ticket report, submitted by the sponsoring group, immediately after the event is held.

c. All tickets are destroyed as soon as possible after the audit.

d. There are four standard ticket forms:

(1) roll tickets (stocked by the Box Office for student organizations or for departments);

(2) reserved seat tickets (printed specifically on order of the department). These tickets must be ordered two or three weeks in advance of sale;

(3) custom printed tickets (made to order by the University Printing Service); and

(4) computerized tickets — for events on national computer system the tickets are printed at primary office, sales outlets, and phone centers.

e. The price at which tickets are to be sold must be established with the Box Office Manager before any sales are made.

V. Administrative, Financial, and Facilities Policies

Chapter 15 – Risk Management, Insurance, and Loss Prevention

(Amended 9/93; Regents 3/16/94; amended 10/95; 9/97; 2/06; 2/11)

These procedures apply to all types of insurance coverages except staff members' insurance programs administered by the Staff Benefits Office.

15.1 General

(Amended 2/11)

The Chief Risk Officer is responsible for administering risk management and insurance programs in compliance with the Board of Regents, State of Iowa, risk management policies and procedures. Questions concerning Regents or University risk management programs, insurance, property, or liability claims, or related matters should be referred directly to the Department of Risk Management, Insurance, and Loss Prevention, 430 Plaza Centre One, https://uiowa.edu/riskmanagement/.

15.2 Property Insurance (Buildings and Contents)

(Amended 2/11)

a. Insurance — academic-related property (general fund-supported facilities). For losses over $5,000, the State of Iowa has a self-insurance property program for academic-related facilities when damaged or lost by fire, storm, theft, earthquake, flood, or unavoidable cause. Reimbursement is provided in accordance with *Iowa Code* Chapter 29C.20. These losses are reported to the Board of Regents office for consideration by the State Executive Council.

   The University is required to purchase commercial catastrophic insurance for academic/general-funded facilities with a single incident deductible, for which, in the event of claim, the state may provide payment pursuant to *Iowa Code* 29C.20.

b. Insurance — auxiliary enterprises, self-supporting facilities, other property.

   (1) Property insurance may be purchased if required by statute or contract, for special risk, or if deemed necessary in order to obtain special services.

   (2) The University maintains conventional property insurance on self-supporting, revenue-producing, and auxiliary facilities which are an integral part of the operations of the University. Insured facilities include housing, the utility system, Iowa Memorial Union, the Museum of Art's fine art inventory, athletic facilities, and other auxiliary operations.

c. Equipment Loss (FREC) Program. Some equipment losses may be eligible for reimbursement through the Facilities Renewal and Equipment Committee's (FREC) self-insured equipment loss program. A departmental deductible of $500 will normally apply. For claim forms contact the Department of Risk Management, Insurance, and Loss Prevention, 430 Plaza Centre One, https://uiowa.edu/riskmanagement/.

15.3 Auto Insurance

(Amended 2/06; 2/11)

a. Primary liability and physical damage for University-owned vehicles.

   (1) For liability on University-owned motor vehicles, The University of Iowa participates with other Board of Regents institutions in the Iowa Regents Motor Vehicle Self-Insurance Program. The program responds to liability claims for property damage or bodily injury arising from an accident involving University vehicles where the University driver is more than 50 percent negligent. Claims are processed pursuant to the Iowa Tort Claims Act, Chapter 669 of the *Iowa Code*.

   (2) Physical damage coverage. The Regents Motor Vehicle Self-Insurance Program includes coverage for comprehensive and collision damage to University vehicles, subject to a $500 deductible per loss.

b. Excess liability and physical damage for non-University-owned, borrowed, personal vehicles. For non-University-owned (including rentals, personal, or borrowed) vehicles, the Regents Motor Vehicle Self-Insurance Program will apply only as an excess liability coverage. The University's travel reimbursement program includes a provision for insurance expenses in the mileage rate calculation for personal vehicle use. In an accident, the vehicle owner must look to his or her own automobile insurance coverage as the primary insurance.

   The University's excess liability coverage will apply when the driver was an authorized University employee on University business at the time of the loss and the vehicle owner's policy has been exhausted. The $500 deductible will be assessed to the department for physical damage claims.

   The University will not reimburse an employee, other private owner, or his or her insurer for any deductible or liability claim paid by his or her auto insurance policy, or for any damage to the vehicle.

   In the event you are involved in an accident in a non-University-owned, private, or borrowed vehicle while you are conducting University business, report the accident immediately to the Department of Risk Management, Insurance, and Loss Prevention at https://uiowa.edu/riskmanagement/.

(See also V- 22.1f(6)(g) Vehicle Rental.)

15.4 Liability

(Amended 2/11)

a. Claims. As a unit of the State of Iowa, The University of Iowa is subject to the Iowa Tort Claims Act (IC 669). Under the Act, claims for monetary damages may be filed against the state or a state employee because of property damage or loss of property or personal injury or death caused by the negligent or wrongful act or omission of a state employee while acting within the scope of his or her employment. The Act covers claims arising under the Constitution, statutes, or rules of the United States, or of any state. Excluded claims are listed in *Iowa Code* 669.14.

b. Liability protection. Under the Act, the state must defend any employee of the state, and, except in cases of willful and wanton acts, omissions, or malfeasance in office, hold harmless and indemnify any employee of the state against any tort claim on account of damages allegedly caused by an act or omission of such state employee acting within the scope of his or her office or employment. For purposes of the Act, state employees include faculty, staff, or other individuals acting on behalf of the University in a permanent, temporary, or full- or part-time position, whether compensated or uncompensated. The Act does not provide liability protection for contractors doing business with the University.

c. Liability insurance — self-insurance. The University of Iowa, as a general practice, does not purchase commercial liability insurance, but instead, relies on statutory protection for claims against the University, its agents, and its employees.

   The University may purchase liability insurance or participate in self-insured liability pooling or other arrangements for medical professional liability, motor vehicle liability, or other liability if required by statute, contract, or special circumstance. Refer questions or requests for certificates regarding liability insurance and self-insurance programs to the Department of Risk Management, Insurance, and Loss Prevention.

d. Small Tort Liability Claim Program. Tort liability claims are generally handled as provided in Chapter 669, State Tort Claims Act, by the State Attorney General's Office, Tort Claim Division. Under the provisions of a 28E Agreement with other state agencies, the University has authority to investigate and resolve certain small tort liability claims for settlements less than $4,000. Refer claims to the Department of Risk Management, Insurance, and Loss Prevention.

(See also IC 669.)

15.5 Fidelity Coverage

The State of Iowa blanket fidelity bond provides coverage for theft of state property by a state employee; coverage is subject to a $100,000 deductible. The University administers a self-insurance program to cover fidelity losses over $2,500 but less than the $100,000 deductible. Contact the Department of Risk Management, Insurance, and Loss Prevention, https://uiowa.edu/riskmanagement/, for more details.

15.6 Reporting Property or Liability Losses

(Amended 2/11)

a. Property losses — over $5,000. Property losses in excess of $5,000 should be reported to the Department of Risk Management, https://uiowa.edu/riskmanagement/, within twenty-four hours, in accordance with loss procedures detailed in the *Board of Regents Policy Manual* 2.2.7. Property losses involving criminal activity should be reported immediately to the Department of Public Safety, 808 University Capitol Centre, https://police.uiowa.edu.

b. Liability losses — motor vehicle. (See V-15.3 Auto Insurance.)

c. Liability losses — general. Incidents involving personal injury or property damage to students or members of the general public (non-employees) should be reported immediately to the Department of Public Safety.

V. Administrative, Financial, and Facilities Policies

Chapter 16 – Critical Incident Management Plan

(1/01; amended 6/02; 10/05; 1/09; 6/11)

Faculty, staff, and students report emergencies by dialing 911.

16.1 Scope and Authority

This manual establishes the Critical Incident Management and Continuity of Operations Plans (see V-16.13 Additional Resources below) for The University of Iowa and assigns responsibilities for the development, implementation, and maintenance of the plan.

The Critical Incident Management Plan applies to all units of The University of Iowa and, as applicable, to The University of Iowa Hospitals and Clinics. This plan is the basic framework for critical incident preparedness. It is not intended to cover every unit's individual needs. Therefore, we encourage any unit to supplement this plan to suit its own needs while remaining in compliance with this plan.

All requests for procedural changes, suggestions, or recommendations should be submitted in writing to the Assistant Vice President and Director of Public Safety; the Vice President for Student Life; or the President.

16.2 Purpose

a. The University of Iowa shall conduct continuous planning to minimize the risk of personal injury and property loss from critical incidents; shall cooperate with public bodies and agencies charged with disaster control; and shall take necessary and prudent steps to assure continuity of operations and restoration of normal activities as quickly as possible following an emergency or a disaster. Questions or comments about this plan shall be directed to the Department of Public Safety, 319-335-5022 or https://police.uiowa.edu.

b. The University of Iowa is committed to supporting the welfare of its students, faculty, staff, and visitors. Preparing a campus critical incident management plan and allocating resources to respond to possible emergencies is one way in which the University offers this support. The plan is fashioned in accordance with appropriate laws, regulations, and policies that govern crisis/emergency preparedness, and reflects the best and most current thinking in this area.

c. The Critical Incident Management Plan is designed to maximize human survival and preservation of property; minimize danger; restore normal operations of the University; and assure responsive communications with the University, surrounding neighborhoods, and cities. This plan is set in operation whenever a natural or induced crisis affecting the University reaches proportions that cannot be handled by established measures. A crisis may be sudden and unforeseen, or there may be varying periods of warning. This plan is intended to be sufficiently flexible to accommodate contingencies of all types, magnitudes, and duration.

d. The plan provides for aiding the local communities when appropriate, though the prime responsibility of the plan is to the University community for which it is designed. The intent is for the plan to be viewed as a tool to accomplish the above-stated purpose with a minimum of confusion and wasted effort.

e. Additionally, it is believed that a coordinated response to campus critical incidents will provide the following outcomes:

(1) A more rapid response to critical incidents,

(2) A more systematic and routine approach to critical incidents,

(3) A venue for promptly identifying and supporting University decision makers,

(4) A system for evaluating all critical incidents with the goal of providing improved plans to protect lives and property as well as reduce exposure to vicarious liability, and

(5) Improved management of public information.

f. This plan also establishes response strategies for the following critical incidents:

(1) Bomb threat

(2) Civil protest

(3) Earthquake

(4) Explosion

(5) Fire

(6) Hazardous materials incident

(7) Infrastructure failure

(8) Medical emergency

(9) Severe winter weather

(10) Tornado

(11) Violent incident

(12) Active shooter

(13) Water damage

For these critical incident response strategies, see the Department of Public Safety website or download the Emergency Procedures Guide.

16.3 Definitions

a. "Emergency incident": Any situation to which the emergency services organization responds to deliver emergency services, including rescue, fire suppression, emergency medical care, special operations, law enforcement, and other forms of hazard control and mitigation.

b. "Emergency responders": A group of individuals who are properly trained and equipped to handle the emergency for which they are called. Emergency responders provide, on a 24-hour basis, immediate response in order to bring the emergency situation under control. Emergency responders are identified as, but not limited to:

(1) University of Iowa Police Department

(2) Coralville Police Department

(3) Coralville Fire Department

(4) Iowa City Police Department

(5) Iowa City Fire Department

(6) Johnson County Ambulance

(7) Johnson County Hazardous Materials (HAZMAT) Team

(8) Johnson County Sheriff's Department

c. "Resource unit": A unit which provides assistance to emergency units in the form of information, expertise, and/or procurement of materials and services. The unit may or may not respond immediately to an emergency site. Examples of resource units are:

(1) Business Services

(2) Facilities Management

(3) Environmental Health and Safety Office

(4) Information Technology Services

(5) Office of Strategic Communication

(6) Johnson County Emergency Management Agency

(7) Iowa Department of Public Safety

(8) Iowa Homeland Security and Emergency Management

d. "State of emergency": This situation exists when a critical incident has resulted in substantial disruption of University functions and is likely to be long term, and it becomes necessary, for continuity of normal operations and/or the well-being of the University community, to modify/alter normal functions, established procedures, and/or policies without submitting to a formal process.

e. "Incident Command Center (ICC)": The Incident Command Center will be a location where the Critical Incident Management Team (CIMT) members or their designees will develop response(s) and manage the recovery process related to the incident or crisis situation. The Department of Public Safety's training room will serve as the University's ICC. The CIMT will determine the hours of operation of the ICC and how it will be staffed.

f. "Incident commander": The individual in overall command of an emergency incident. Different individuals will take on the role of incident commander depending on the type of crisis and level of severity.

g. "National Incident Management System (NIMS)": The President of the United States, under Homeland Security Presidential Directive 5, directed the Department of Homeland Security to develop and administer a National Incident Management System (NIMS). NIMS provides a consistent nationwide approach for federal, state, and local governments; the private sector; and nongovernmental organizations to work effectively and efficiently together to prepare for, respond to, and recover from domestic incidents, regardless of the cause, size, or complexity. To provide for interoperability and compatibility among federal, state, and local capabilities, NIMS includes a core set of concepts, principles, and terminology. The Critical Incident Management Plan (CIMP) incorporates NIMS components, principles, and policies, including: planning, training, response, exercises, equipment, evaluation, and corrective actions into the plan where applicable.

A component of NIMS is the Incident Command System (ICS). ICS is a standardized on-scene emergency management construct specifically designed to provide for the adoption of an integrated organization structure that reflects the complexity and demands of a single or multiple incidents, without being hindered by jurisdictional boundaries. ICS is the combination of facilities, equipment, personnel, procedures, and communications operating within a common organizational structure, designed to aid in the management of resources during incidents. It is used for all emergencies and is applicable to small as well as large and complex incidents. ICS is used by various jurisdictions and functional agencies, both public and private, to organize field-level incident management operations.

Members of the Critical Incident Management Team as well as appropriate members of The University of Iowa's Department of Public Safety shall be trained and/or familiar with concepts of NIMS and ICS.

16.4 Authority to Declare a Campus State of Emergency

This Critical Incident Management Plan is designed to provide direction for The University of Iowa during an emergency situation. The plan provides basic procedural guidelines necessary to cope with most emergencies. Emergency response operations will be conducted within the framework of these guidelines.

With any crisis situation it is understood that a state of emergency may need to be declared. The authority to declare a campus state of emergency rests with the University President or designee.

If a state of emergency is declared, it may become necessary to restrict access to specific areas on campus to authorized individuals. Only those authorized individuals who have been assigned emergency or resource duties will be allowed to enter the area or building affected by the incident.

16.5 Procedure

a. **Faculty, staff, and students shall report emergencies by dialing 911.** (When using 911, the telephone number you are calling from will also appear on a computer screen in the UI Police Division or 911 dispatch center.)

b. In the event of an emergency or a disaster, the University of Iowa Department of Public Safety has primary responsibility for immediate response, and shall cooperate and coordinate with official emergency response authorities and University administration, in accordance with established policies and procedures.

(1) The Department of Public Safety facility will serve as the Incident Command Center (ICC) for the University during the critical incident. All outside information flows into this area and out to incident. The Director of Public Safety or designee will contact University administration as to the extent of damage or seriousness of the incident and recommends whether the ICC should be placed into operation.

(2) The Incident Commander is in charge at the scene of the incident unless such responsibility is transferred to another unit; for example, the fire department in the event of a fire or Johnson County HAZMAT in the event of a chemical incident. When the situation is brought under control, responsibility is transferred back to the University.

(3) Decisions to close and evacuate a building or to isolate an area immediately after an incident may be made by the Iowa City Fire Department, Johnson County HAZMAT Team, or the University of Iowa Department of Public Safety, who may consult with University Environmental Health and Safety, Facilities Management, and/or others as needed.

(4) Decisions to reoccupy a building will be made by the agencies identified in paragraph (3) above or by the Critical Incident Management Team. The primary consideration for reoccupying, after consulting with additional resources, will be the safety of the occupants.

16.6 Critical Incident Management Team (CIMT)

a. In the event of a crisis incident, the Assistant Vice President and Director of the Department of Public Safety or designee will notify the Vice President for Student Life, who will convene the Critical Incident Management Team (CIMT). The CIMT is comprised of members from University administration and selected department heads. The CIMT will be assembled to address the immediate crisis and will disband when the crisis has ended and normal operating systems are in place.

b. The Critical Incident Management Team (CIMT) consists of:

(1) Vice President for Student Life: Provides liaison with the President and vice presidents for reporting the status of the recovery operation and on student matters.

(2) Senior Advisors to the President: Provide assistance to the President.

(3) Assistant Vice President and Director of Public Safety: Provides the initial response to the majority of campus emergencies. Acts as liaison with the Vice President for Student Life.

(4) Vice President for Legal Affairs and General Counsel: Provides input to the CIMT on legal matters.

(5) Executive Vice President and Provost: Provides liaison with the President and vice presidents for consultation on institutional instruction and faculty matters.

(6) Vice President for External Relations: Communicates with the news media, public, staff, faculty, and students.

(7) Vice President for Human Resources: Provides support for human resources elements of recovery and staff notification through the Office of Strategic Communication.

(8) Associate Vice President and Director of Business Services: Provides input to the CIMT on University business matters related to the incident.

(9) Chief Risk Officer: Acts as liaison with insurance carriers and claims adjusters. Coordinates insurance program with continuity planning programs.

(10) Vice President for Research: Provides liaison to affected research areas.

(11) Associate Vice President and Director of Facilities Management: Provides for the planning, construction, operation, and maintenance of University buildings, most campus grounds, and all utility systems.

(12) Senior Vice President for Finance and Operations: Communicates with the Board of Regents on response and recovery operations.

(13) Associate Vice President and Chief Information Officer: Advises on issues related to ITS.

(14) Vice President for Medical Affairs: Provides liaison to affected medical areas.

c. The CIMT may be expanded to include the following or others as needed:

(1) Director of University Counseling Service,

(2) Senior Assistant Director of Human Resources,

(3) Director of Environmental Health and Safety,

(4) Associate Vice President and CEO of University of Iowa Hospitals and Clinics,

(5) Director of University Housing and Dining,

(6) Director of Animal Resources and University Veterinarian, and

(7) Administrative Director of Student Health and Wellness.

d. The CIMT's role is to support the emergency field operations from the Incident Command Center. The CIMT will not respond to the scene nor will they manage the initial response to an incident. It is the responsibility of emergency responders at the scene to isolate, contain, and neutralize the incident.

e. In accordance with National Incident Management System (NIMS), the CIMT will be responsible for managing and directing the activities of the various departments that will be involved in crisis response and recovery. During the initial stages of the crisis, the CIMT will be responsible for providing resources for field operations when requested. It is the responsibility of the person(s) in charge of the scene to communicate with the CIMT to provide status reports and to inform the team as to what resources are needed. The CIMT will be responsible for managing and directing the activities of the various departments that will be involved in crisis response and recovery.

f. Critical incidents are defined as those situations which have the potential to cause injury or loss of life, major campus disruptions, and property damage or loss. The following are examples of events which may be designated as a critical incident which would activate the CIMT. These are merely examples and do not constitute a comprehensive list of possible crisis events.

(1) Fire, explosion, hazardous substance spill, or other damage to campus property which may require closing the site temporarily or permanently.

(2) Failure of utility systems to the extent that one or more buildings are without service.

(3) An incident resulting in or with the potential for fatality or major injuries.

g. Critical incident planning prioritization criteria:

(1) Protect human life; prevent/minimize personal injury.

(2) Prevent/minimize damage to physical assets, including structures, animals, and research data.

(3) Protect the environment.

(4) Restore normal operations.

16.7 Incident Command Center (ICC)

a. Location. The location for the ICC will be the University of Iowa Department of Public Safety facility, located in the University Capitol Centre (UCC).

As needed, The University of Iowa will coordinate with Iowa City, Coralville, and Johnson County agencies through the county's Emergency Operations Center for emergencies involving the city and other areas of the county.

b. Purpose and role. The purpose of those staffing the ICC is to coordinate response to major emergencies at The University of Iowa and to assist and facilitate the Incident Commander in providing resolution to the incident. The ICC provides information for the support functions of the Critical Incident Management Team to facilitate crisis response and recovery.

16.8 Emergency Notification

a. There are various methods by which the University may notify the University of Iowa community in the event of an emergency. Examples of emergency communication are:

(1) University of Iowa all-hazards outdoor warning system
https://uiowa.edu/critical-incident-plan/emergency-notification

(2) Hawk Alert
https://hawkalert.uiowa.edu

(3) Mass email
https://its.uiowa.edu/massmail

(4) Individual college and department emergency plans. (Note: Some colleges and departments have individual emergency plans.)

b. Internal systems operations. The use of these systems will be authorized by the President's Office, or designee, when it is necessary to transmit brief urgent messages to large segments of the University community.

The information directory will be maintained by Information Technology Services (ITS), who will have the responsibility to receive and/or relay messages pursuant to these systems. Messages transmitted using these systems will typically include information concerning emergency weather and other critical incidents, as defined in this document, affecting the entire campus. These messages will be initiated from ITS and are usually worded as follows:

"The President's Office has authorized the following Hawk Alert message: _____. Please relay this information to affected individuals within your department or work area."

Each department is responsible for making certain that individuals under its supervision are aware of the Hawk Alert systems and how the messages received are to be transmitted to other offices under its jurisdiction.

In addition to the Hawk Alert systems, the Critical Incident Management Team may also employ other methods for notifying those within the University community, including the campus's all-hazard outdoor warning system, telephone calling lists, cell phones, two-way radios, University police officers and guards, as well as other University personnel.

c. Public information. The Office of Strategic Communication serves as the authorized spokesperson for the University. All public information must be coordinated and disseminated by their staff with assistance from other University departments and/or personnel.

University policy requires that only certain administrators may speak on behalf of the University. These spokespersons are the President and the University Spokesperson in the Office of the Vice President for External Relations. Under certain circumstances, the previously named administrators may designate others as spokespersons.

In the event that regular telecommunications on campus are not available, the Office of Strategic Communication will center media relations at a designated location. Information will be available there for the news media and, where possible, for faculty, staff, and students. Official information will be made available as quickly as possible to the Campus Information Center located in the Iowa Memorial Union.

During critical incidents, the Office of Strategic Communication will work with each organizational unit to gather accurate and substantial information regarding the situation and details regarding the University response. The Office of Strategic Communication, working with other CIMT members, will provide notification to students, faculty, staff, and the general public on progress toward recovery.

16.9 Evacuation and Relocation

a. Transportation of persons shall be coordinated with appropriate Department of Public Safety and Parking and Transportation personnel for the purpose of evacuation and

relocation of persons threatened by or displaced by the incident. A temporary shelter or facility such as Burge Hall, the Iowa Memorial Union, the Field House, or Carver Hawkeye Arena will be selected if needed. Coordination for assistance, equipment, and supplies will be determined at the relocation site as needed.

b. The primary responsibility for the protection of property, assessment of damage, and restoration of normal operations shall be given to the appropriate University service unit. These University service units will include:

(1) Facilities Management: Coordinates all services for the restoration of electrical, plumbing, heating, and other support systems as well as environmental enclosure and structural integrity. Assesses damage and makes a prognosis for occupancy of the structure affected by the disaster.

(2) Information Technology Services: Coordinates support for data-processing resources at the main data center and the designated recovery sites; provides alternate voice and data communications capability in the event normal telecommunication lines and equipment are disrupted by the disaster. Evaluates the requirements and selects appropriate means of backing up the ITS telecommunications network.

(3) Department of Public Safety: Provides safety and security for people and facilities, as well as emergency support to affected areas, and notification mechanisms for problems that are or could be disasters. Extends a security perimeter around the functional area affected by the disaster.

c. Evacuation/rescue plan for persons with disabilities. Even though emergency personnel usually are available to assist with evacuation, this may not always be the case. People with concerns that would make independent evacuation difficult are encouraged to make alternative plans and arrangements in advance which will increase the likelihood that individuals will be able to exit a building safely in the event of an emergency. Check to see if your building has a staff member serving in the role of Building Coordinator. Individuals are encouraged to discuss evacuation/rescue needs with the Building Coordinator if applicable.

Every individual must quickly become familiar with his or her area by locating exits, stairwells, elevators, fire-fighting equipment, fire alarms, and possible areas of rescue.

Note: Possible areas of rescue can be in a stairwell/fire escape, areas adjacent to a stairwell or fire escape, a window facing the outside, or a room within the structure; attempt to select a room with a phone. It is understood that older structures may not have adequate landings within the stairwells to accommodate wheelchairs. Individuals are encouraged to use protected stairwells for exiting if possible.

Those who have difficulty speaking or those with hearing impairments who have difficulty judging volume are encouraged to carry a whistle or a similar device for the purpose of announcing his or her location to emergency services personnel conducting rescue searches and to carry personal cell phones to contact emergency services personnel. If assistance is needed, call University Public Safety at 319-335-5022.

Note: When calling a University number from a cell phone, you must press all seven digits. Depending on your phone service, you may also have to include the area code. In case of an emergency, press **911**. Be prepared to give your name, your building, floor and location, the reason why you are calling, and your particular needs.

Advise others (supervisors, administrators, instructors, colleagues, fellow students) about any concerns that you may have related to emergency exiting and how they can assist you in the event of an emergency. This can include assistance in exiting a building, assistance to areas of rescue, and alerting emergency services of your location. (For exiting concerns related specifically to tornadoes or bomb threats, please see the Department of Public Safety's Emergency Procedures Guide.)

d. Assisting people with disabilities: Evacuation guidelines. It is recommended that each department establish a "buddy" system in which volunteers and alternates are recruited and paired with persons who have known disabilities that would create special evacuation needs. Volunteers should become familiar with the special evacuation needs of their buddies and plan to alert and assist them if an evacuation is ordered. Volunteers should keep in mind that many people with disabilities can assist in their evacuation.

(1) People with visual disability. In the event of an emergency, tell the person the nature of the emergency and offer to serve as a guide. As you walk, tell the person where you are and advise of any obstacles. Do not grasp the person's arm. Extend and offer your arm for the individual to grasp.

(2) People with hearing disability. People with hearing impairments may not perceive audio emergency alarms, and an alternative warning technique is required. Two methods of warning are:

(a) Writing a note telling what the emergency is and the nearest evacuation route/safe staging area.

(b) Tapping the person on the shoulder or turning the light switch on and off to gain attention, then indicating through gestures, or in writing, what is happening and what to do.

Note: Most modern fire alarm systems are equipped with flashing lights to alert people with hearing impairments.

(3) People using crutches, canes, or walkers. When it is not possible for the person to exit quickly, various carrying options include: using a two-person lock-arm position, having the person sit in a sturdy chair — preferably with arms; some buildings have evacuation chairs specific for stairway travel (familiarization with these chairs is advised.) For level travel, an office chair with wheels could be utilized.

(4) People using motorized and non-motorized wheelchairs or other ambulation devices. The needs and preferences of people will vary. Most will be able to exit safely without assistance if on the ground floor. Two volunteers are needed in carrying a person and wheelchair. It is advisable to arrange a two-person, lock-arm carry or use an evacuation chair to manage stairways. Please keep in mind that some people have minimal ability to move, and lifting them may be painful and/or injurious. Additionally, some individuals may have respiratory complications and must be removed from smoke or fumes immediately.

Always consult the person as to his or her preference with regard to:

(a) Ways of being removed from the wheelchair.

(b) The number of people necessary for assistance.

(c) Whether to extend or move extremities when lifting because of pain, catheter bags, braces, etc.

(d) Whether a seat cushion or pad should be brought along if he or she is removed from the chair.

(e) Being carried forward or backward on a flight of stairs.

(f) After-care needs, if removed from a mobility device (wheelchair, scooter, etc.).

16.10 Damage Assessment and Recovery

a. Departmental notification. The Department of Public Safety shall be responsible for securing the incident site and notifying the designated representative (or alternate in designee's absence) of the following departments:

(1) Department of Risk Management, Insurance, and Loss Prevention:

(a) Chief Risk Officer, 319-335-0010

(b) Alternate: Assistant Vice President and Director of Business Services, 319-335-0060

(2) Facilities Management:

(a) Director, Building and Landscape Services, 319-335-5038

(b) Director, Utilities and Energy Management, 319-335-1884

(c) Director, Business and Financial Services, 319-335-5084

(d) Director, Planning, Design, and Construction, 319-335-1205

(e) Alternate: Associate Vice President and Director, Facilities Management, 319-335-1248

(3) University Housing and Dining:

(a) Director, 319-335-3000

(b) Alternate: Associate Director, Facilities and Operations, 319-335-9970

(4) Vice President for External Relations (or designee), 319-335-3714

(5) Office of General Counsel:
Director, Environmental Compliance and Senior Associate Counsel, 319-335-6190

Individuals so notified shall immediately respond, meeting for the purpose of determining the extent of damages, recovery activities, relocation needs, and public information needs that are immediately required.

To the extent that hazardous materials or chemicals are involved, the Department of Public Safety shall notify Environmental Health and Safety. All emergency clean-up and recovery activities shall be subject to instructions of Environmental Health and Safety in accordance with the requirements of public authorities. (See also the Hazardous Materials Incident section in the Department of Public Safety's Emergency Procedures Guide.)

b. Departmental responsibilities. To the extent that damage is minimal and relocation of activities is not required, Facilities Management shall be responsible for all site clean-up, debris removal, and emergency or minor repairs. In the event that major remodeling or rebuilding is necessary, Facilities Management shall be responsible for preparation of plans, specifications, or cost estimates for building remodeling, and equipment repair/replacement.

c. Property loss reporting requirements. Preliminary reports regarding the cause of the loss, the extent of damage, and the plans for recovery and relocation shall be provided to the University Business Manager by the Chief Risk Officer within 24 hours, in accordance with V-15 Risk Management, Insurance, and Loss Prevention.

All losses shall be reported by the Department of Risk Management, Insurance, and Loss Prevention to the Office of the Board of Regents, State of Iowa.

16.11 Dealing with a Disrupted Work or Academic Environment

The University seeks to provide a work environment that supports people and the business of the University.

a. In those situations that, due to equipment malfunction, weather, or other crisis situations, work space is uninhabitable because of heat, cold, water, smoke, or other conditions that make the work site unsafe or uninhabitable, supervisors will make a decision relative to continuation of services at that location. If the supervisor, based on consultation with appropriate University officials, his or her knowledge of the term and severity of the condition, and based on a reasonable-person standard, decides to vacate the work site, he or she shall use the following guidance.

(1) If possible, services to students, faculty, staff, and the public should be continued at an alternate work location within the college, vice presidential area, or hospital unit/clinic. Supervisors should identify these alternate work locations in advance and advise faculty and staff of the location and the situations which would require relocation to the alternate work site (i.e., lack of heat, fumes, threats to safety/security).

(2) If space is not available in locations noted above for all or a portion of the affected staff, they should meet at public facilities on campus, i.e., Iowa Memorial Union, University Libraries. To the extent possible, normal work flow should be maintained. If computers, phones, and other necessary equipment are not available, staff should engage in planning, evaluation, or training activities which require staff presence but not operational equipment.

(3) If the options listed above are not feasible, the supervisor can authorize staff to work at home (if appropriate), or they may approve an alternate work schedule to make up the time.

(4) If none of the above options is feasible, staff may be required to utilize paid leave (vacation) or unpaid leave during periods of disruption. It is the University's intent to avoid this option if possible.

Supervisors are responsible for monitoring the availability of the original work space and for notifying staff and faculty when it is appropriate to return to the regular work area.

b. Determinations as regards classes will be made by the academic units in coordination with the Office of the Executive Vice President and Provost.

16.12 Review of the Critical Incident Management Plan

a. Representatives from the Department of Public Safety, Risk Management, Environmental Health and Safety Office, Facilities Management, and University Housing and Dining will review the Critical Incident Management Plan on an annual basis and revise as needed. Before a date is set for review of the plan, notification will be sent to the Critical Incident Management Team.

b. Additionally, the plan will be reviewed as appropriate following an event that requires the activation of the Critical Incident Management Team.

16.13 Additional Resources

a. Critical Incident Management Plan Flow Chart. See the Department of Public Safety website or https://uiowa.edu/critical-incident-plan/critical-incident-management-plan-flow-chart.

b. Critical Incidents and Response Strategies. The University has developed response strategies for the following critical incidents: bomb threat, civil protest, earthquake, explosion, fire, hazardous materials incident, infrastructure failure, medical emergency, severe winter weather, tornado, violent incident, active shooter, water damage. Download the *Emergency Procedures Guide*.

c. University of Iowa Continuity of Operations Plan. See Appendix A at https://uiowa.edu/critical-incident-plan/continuity-operations-plan.

d. Employee's Guide to Proper Selection and Use of Portable Fire Extinguisher in a University Building. Download https://police.uiowa.edu/sites/police.uiowa.edu/files/fireextinguishers.pdf.

e. University of Iowa Pandemic Flu Plan
http://provost.uiowa.edu/pandemic-influenza-preparedness-task-force

f. National Incident Management System (NIMS)
https://www.fema.gov/national-incident-management-system

V. Administrative, Financial, and Facilities Policies

Chapter 17 – Records Management

(Amended 9/97; 9/98; 9/12; 9/14; 2/16)

17.1 General

The University of Iowa is required by law to develop internal rules for the economical, efficient, and systematic management of its records. Accordingly, the University has established the following Records Management Policy and Records Management Program and Retention Schedule to maintain, protect, and retain or dispose of records in accordance with legal, historical, and reference needs. As such, this policy implements the requirements of the Iowa Administrative Procedure Act (*Iowa Code* 17A) and Board of Regents Rules (*Iowa Administrative Code* [681]10).

17.2 Policy

Records are the property of the state and shall not be mutilated, destroyed, removed, or disposed of, except as provided by law, rule, or policy. Records should be archived or disposed of in accordance with University disposal requirements after the retention period, subject to the exceptions stated in this policy regarding retention for audit and litigation purposes. All University of Iowa faculty and staff have responsibility for identifying and retaining records in accordance with established records retention criteria (outlined in the Records Management Program and Retention Schedule).

The University of Iowa Secretary, appointed annually by the Board of Regents, State of Iowa, according to the *Iowa Code* 262.9, or designee, in consultation with other University administrators as appropriate, shall have the authority and duty to implement, administer, and update this policy as necessary.

17.3 Definition and Identification of Records

Records are anything containing information which is made, produced, executed, or received in connection with the transactions and official activities of the University or executed in the conduct of University business, including research, teaching, service, and administration. Examples include documents, books, paper, electronic records, photographs, videos, sound recordings, databases, and other data compilations that are used for multiple purposes, or other material, regardless of physical form or characteristics.

Records can be divided into two categories: 1) Official, and 2) Transitory/Convenience.

a. "Official records" are:

(1) records having the legally recognized and judicially enforceable quality of establishing some fact, policy, or institutional position or decision.

(2) the single official copy of a document maintained on file by an administrative unit of the University which is usually, but not always, the original.

(3) subject to the records retention requirements included in the Records Management Program and Retention Schedule.

b. "Transitory/convenience records" are:

(1) duplicate copies of official records.

(2) extra copies of documents or records created or preserved for convenient access and/or for reference, including computer backups and duplicate computer files. (See University of Iowa IT Backup and Recovery Policy for specifics on electronic record backup.)

(3) miscellaneous correspondence without official significance.

(4) versions or drafts of reports, memos, word processing files, letters, messages, or communication (electronic or otherwise) that are used to develop a final official document.

(5) records that do not carry a requirement for retention and should be destroyed when they cease to be useful (using secure destruction methods if they contain confidential information).

Either official or transitory/convenience records may contain confidential information. Confidential information is information of various sorts that the University receives and holds confidential unless otherwise ordered by a court, by the lawful custodian of the records or by another person duly authorized to release such information. Examples include: student records, medical records, personnel records, etc. (See *Iowa Code* 22.7, Confidential Records.) University faculty and staff should determine if records contain confidential information when conducting an inventory of departmental records and maintain and dispose of them accordingly.

Either official or transitory/convenience records may also contain vital information. Vital information is considered essential for the operations of a department (and/or the University) and includes information that may prevent a department from incurring serious liability or risk, or that would be extremely costly to replace. In the event of a disaster, this information, if destroyed, would make it difficult for a department to conduct normal business activities. University faculty and staff should determine if records contain vital information and maintain and dispose of them accordingly.

Any record, official or transitory/convenience, may be considered a public record; however, not all public records are subject to release (see University of Iowa Public Records page or *Iowa Code* 22.7).

17.4 Records Management Program and Retention Schedule

(Amended 2/16)

The Records Management Program and Retention Schedule are designed to assure that official records will be preserved appropriately while providing economy and efficiency in the creation, organization, maintenance, use, and disposition of records.

The Records Management Program and Retention Schedule include:

a. Procedures dealing with records of transactions of the official business of the institution, including design, handling, maintenance, filing, storage, and security.

b. Procedures dealing with utilization of space, equipment, and supplies.

c. Schedules for retention of official records, and the form in which they are to be retained, either in offices or archives. University of Iowa records retention criteria require that all

official records, as defined above, be maintained for a minimum of five years, ten years, or permanently, based on the requirements of the record type. If the legal retention requirement for a specific official record type is anything other than 5 years, 10 years, or permanent, the assigned retention requirement will round up to 5 years, 10 years, or permanent, to meet University policy requirements. Exceptions to these retention requirements must be approved by the Records Management Committee.

d. Schedules for destruction of official records and the method to be used.

e. Standards for reproduction of records.

17.5 Disposal of Records

"Disposal" refers to the disposal of the record whether by physical destruction or transfer to the University Archives at the end of its retention period.

a. Official records shall not be destroyed or otherwise disposed of by any University faculty or staff except as outlined in the Records Management Program and Retention Schedule.

b. Transitory/convenience records may be destroyed at the discretion of the user, assuring the secure destruction of confidential information. Transitory/convenience records that may have historical or enduring value should be reviewed by the University Archivist before destruction.

c. Exceptions to disposal of records:

(1) Any record in any form may not be disposed of by the holder if the holder is aware of any audit, litigation, public records request, claim, negotiation, open administrative review, or other action involving the record.

(2) Records must be maintained until all required audits and requests are satisfied and should be retained beyond the required retention period when there is a probability of litigation either involving records or requiring their use.

(3) If the University Office of the General Counsel has issued a litigation or legal hold, records relevant to the issue must be preserved until the hold has been released.

17.6 University of Iowa Resources

a. Records Management Program and Retention Schedule

b. Public Records page

c. Computer Data and Media Disposal Policy

d. Institutional Data Access Policy

e. University Archives — List of Record Groups

f. IT Backup and Recovery Policy

V. Administrative, Financial, and Facilities Policies

Chapter 18 – Personnel Records

(Amended 9/93)

18.1 Personnel Records, General

The University is required to account for the compensation of its staff, and it is the responsibility of each departmental executive officer to maintain records for each staff member on the following basis:

a. Personnel defined by the State of Iowa as being eligible for overtime payment.

(1) Maintain normal personnel records showing days of attendance, sick leave, vacation, or holidays.

(2) Prepare Employee Time Records showing hours worked, vacation, sick leave, or holidays to be charged to each account from which paid. The purpose of this time record is to show that staff salaries are charged to accounts in accordance with actual time worked. If time records reveal that salaries are not charged properly, the departmental executive officer changes the distribution of the staff member's salary through regular University payroll forms to correspond with the time records.

Time records must be maintained in departmental offices and be available at all times for audit.

b. Temporary or casual staff members paid on an hourly basis. Time records for temporary or casual staff members are kept on Biweekly Employee Time Record forms (see III-17) submitted to the University Payroll Office each month that the staff member is to be paid.

c. Personnel defined by the State of Iowa as being exempt from overtime provisions.

(1) Departments are required to maintain personnel records of attendance and absence for use in determining vacation and sick leave entitlement for each staff member (see III-23.2 Vacations; III-22 Paid Absences).

(2) For those persons who are employed on federal grants, the University is currently using two methods to satisfy the federal regulations relating to documentation of effort. They are covered under sections J.7.d.(1)(2) of Office of Management and Budget Circular A-21 available in the Division of Sponsored Programs. Section J.7.d.(2) requires that after the close of each month the project director and departmental executive officer or dean certify that the effort for which a person was paid actually occurred, and if adjustments are required as a result of a significant change in amount of effort expended, that this correction be made in the account charged. These required certifications are sent to the project director, departmental executive, or dean for verification or correction on the fifth day following the close of the month. They must be returned to the Business Office by the twentieth of the month.

V. Administrative, Financial, and Facilities Policies

Chapter 19 – Fleet Services

(Amended 9/93; 10/95; 9/97; 9/98; 9/00; 11/02: 5/03; 3/04; 11/04; 12/05; 12/06; 10/07; 1/09; 2/11; 10/15)

19.1 General

(Amended 10/07; 2/11)

University Fleet Services is a division of Parking and Transportation. It maintains and leases a fleet of vehicles necessary for University departmental units to carry out their missions.

a. Licensable vehicles operated by, purchased for, leased, loaned, or donated to University colleges, units, or departments are to be owned or/and managed by the University's Fleet Services unit. Exceptions to this policy can be made by the Director of Business Services and Assistant Vice President for Finance and Operations.

b. All new and used vehicle purchases made by The University of Iowa and by University of Iowa Hospitals and Clinics are to be conducted by Fleet Services. Purchased vehicles will be leased back to departments for a fee that covers anticipated operating costs including, but not limited to: the cost of purchase less projected resale value, insurance, maintenance, administration, licensing, and any special fees associated with the vehicle's ownership and or operation. Projected depreciation of vehicles and/or components will be based on available data and may not cover the full cost of ownership when the vehicle reaches the end of its projected life. In these cases Fleet Services reserves the right to charge departments the difference between the projected value and actual sale price.

c. Donated vehicles are to be inspected by Fleet Services prior to acceptance or receipt in order to ensure safety, viability, and value. These vehicles are to be part of the University's fleet and be managed by Fleet Services. Donated vehicles will be leased back to departments for a fee that includes anticipated operating costs including insurance, maintenance, administration, licensing, and any special fees associated with the vehicle's ownership and/or operation. The sale of donated vehicles are to be managed through Fleet Services with the proceeds, less costs of disposal and any accumulated charges, going to the department.

d. Exceptions to the above rate-making practices can be made by the Director of Parking and Transportation.

19.2 Regulations

(Amended 12/06; 1/09; 2/11; 10/15)

a. General. Fleet Service vehicles may be rented on a short-term or leased on a long-term basis for official University business. The department to which a University vehicle is assigned is responsible for ascertaining that the vehicle is operated by authorized individuals, in accordance with the University of Iowa Fleet Safety Program and used only on official University business. Official University business constitutes business directly concerned with University activities and for which expenses are a proper charge to the University. Authorized drivers and passengers are described in V-19.5 Fleet Safety Program. Family members may be transported only if they are qualified University employees and also traveling on official University business.

b. Reservations. Rental vehicles may be reserved by means of a Fleet Services requisition approved by the dean, departmental executive officer, or administrative officer and submitted to Fleet Services as far in advance as possible (at least three days). Requisitions may be accepted on a "same day" basis when vehicles are available. Fleet Service vehicles may be requisitioned on a long-term basis when the need for continued use of a vehicle exists. Minimum lease term is three months and is based on vehicle availability. Requisitions for monthly leases will require a departmental written justification and approval by the University Fleet Service Manager (and the Director of Parking and Transportation).

c. Operating laws and regulations. Fleet Service vehicles are to be operated in accordance with all applicable laws and Fleet Service rules and regulations (see V-19.5 Fleet Safety Program).

d. Permanent assignments. Vehicles assigned to departments on a permanent basis are to be parked overnight in University parking facilities and are not to be driven to and from work, unless prior written approval has been granted. Approval may be granted by the unit's dean or vice president by sending a letter to Fleet Services explaining the need for the vehicle to be driven to and from work. All other UI fleet and fleet safety policies apply.

e. Servicing. All Fleet Service vehicles driven in the Iowa City area must be serviced (gas, oil, repairs, etc.) at the Fleet Services maintenance facility. The Fleet Services fueling station is open 24 hours. Appointments for vehicle maintenance can be made by contacting the Fleet Services Shop Supervisor.

f. Accidents/claims. Accidents must be reported to the Fleet Services office as soon as possible (call Public Safety after hours). Regent accident forms must be filed with the Fleet Services office within 48 hours of an accident; accidents involving an injury must be reported immediately. An Iowa Department of Transportation Report Form must also be filed within 72 hours if an accident occurring anywhere within the State of Iowa results in death, personal injury, or total property damages of $1,500 or more, unless the accident is investigated by an Iowa law enforcement agency.

g. Vehicle identification and graphics policy. The University logo and wordmark must be placed on the left and right side of University vehicles, ideally on the driver and passenger doors. Additionally, the name of the college, department, or program that owns or operates a particular vehicle should appear under the wordmark on that vehicle.

   Logo, wordmark, and college/department/program name decals for vehicles are to be installed by Fleet Services. The application of any additional logos or graphics to a vehicle is prohibited without prior approval by Fleet Services.

   For additional information about the University's identity system, see http://vpsc.uiowa.edu/brand/. For more information on this vehicle identification and graphics policy, contact the Director of Parking and Transportation.

19.3 Insurance

See V-15 Risk Management, Insurance, and Loss Prevention.

19.4 Fines, Charges, and Violations

(Amended 12/06; 10/15)

a. The University is not responsible for fines, impoundment charges, or other costs resulting from violations of traffic or parking regulations by drivers of University vehicles. If a fine or charge is levied, it is paid by the person to whom the vehicle was assigned when the violation occurred. The driver receiving a citation, who believes the charge is not meritorious, is responsible for the defense.

b. In case of reported violations of law or Fleet Services regulations, the Vice President of Business Services determines whether or not a suspension should be imposed, after giving the driver and the departmental executive officer or other appropriated administrator an opportunity to discuss the alleged violation. (See V-19.5 Fleet Safety Program.)

c. Government jurisdictions assessing fines or charges will present notice to Fleet Services. If the driver of the vehicle is identifiable, Fleet Services transmits the notice of violation to the driver, and the driver is responsible for paying the fines or charges.

d. The records of a driver with a persistent pattern of violations will be forwarded to the appropriate University departmental administrator for review and actions. If there is no improvement, the Director of Parking and Transportation may determine that the driver may be denied access to and use of University vehicles for a stated period of time. (See V-19.5 Fleet Safety Program.)

19.5 Fleet Safety Program

(Amended 9/98; 9/00; 11/02; 5/03; 3/04; 12/05; 2/11; 10/15)

a. General standard. University faculty and staff may be authorized to operate University of Iowa vehicles for the purpose of conducting University business, provided the employee-driver is at least 18 years old, has an appropriate and valid U.S. driver's license for the vehicle being driven, has reasonable experience driving the type of vehicle being used, could reasonably be expected to operate the vehicle in a safe and prudent manner, and meets the University Fleet Safety Program requirements as set forth below.

Compliance with Iowa law and the University of Iowa Fleet Safety Program is required for any eligible driver to be authorized to use a University vehicle and for any driver of a non-owned, borrowed, or rental vehicle being used on University business when authorized passengers will be transported. Fleet Services is authorized to deny a vehicle to anyone if, in the sole opinion of Fleet Services, there is any reason the Fleet Service vehicle may not be operated safely. Individual departments may impose additional standards, restrictions, or driver education or training requirements. This Fleet Safety Program is in addition to any requirements, standards, operating restrictions, or suspensions imposed by law.

b. Driving record reviews. The University's Department of Risk Management, Insurance, and Loss Prevention will review semi-annually the past driving record of current and prospective University employees, volunteers, or agents who use the University's vehicles or other vehicles to conduct University business.

(1) Out-of-state licenses. The University contracts with a private company to conduct out-of-state driver record reviews and will require the individual who holds an out-of-state license to provide a signed disclosure and release for the purpose of complying with this program. The costs for out-of-state driver license reviews vary, and are charged back to the individual's department. Alternatively, departments may require drivers to be licensed in Iowa or require the employee to provide the Department of Risk Management with a certified copy of his or her past-three-year driving record.

(2) Temporary driving permits. The installation of any ignition interlock device on University or other state-owned vehicles is prohibited. University departments may NOT approve temporary driving permits for any employee whose driving privileges are restricted by a temporary driving permit that requires the installation of an ignition interlock device on a state vehicle.

(3) Record review. If any one of the following apply, the driver's past-three-year driving record will be reviewed to determine compliance:

(a) Driver is job applicant, or an employee where driving is a condition of employment; or

(b) Driver is requisitioning a University Fleet Service vehicle, or will be carrying passengers, or has had an "at fault" accident in the last year; or

(c) Driver has been convicted of a moving traffic violation or driving under the influence of alcohol or drugs, or license has been revoked, barred, denied, or suspended, while driver was conducting University business; or

(d) Driver has routine access to vehicles for conducting University business.

(4) The University reserves the right to review the driving record of any driver to determine driver eligibility related to any vehicle (owned, non-owned, rented, borrowed, leased, or any other vehicle) for which the University or the State of Iowa may be held legally liable.

(5) Driving records will be reviewed as required by this policy, or on a case-by-case basis when requested by departments. The driving-record reviews will be conducted as permitted by the provisions of the Federal Driver's Privacy Protection Act and *Iowa Code* Chapter 321.11, which regulates the use and disclosure of personal information from driver records. Access to the driving record is restricted to assigned staff in the Departments of Risk Management, Insurance, and Loss Prevention; Public Safety; Parking; and Fleet Services; and members of the Vehicle Appeal Board.

(6) An employee who holds a position in which driving is a condition of employment may be terminated if the driving record does not comply with the requirements of the Fleet Safety Program.

(7) Driving standards. Driving privileges will be denied if the driver's past-three-year driving record indicates any of the following:

(a) Three or more "at fault" accidents, or three or more moving violations, or a combination of three or more accidents and violations; or

(b) Conviction of reckless driving, conviction of driving with a suspended, denied, revoked, or barred license, conviction of hit and run, or conviction of leaving the scene; or

(c) License suspension, or license denial, or license revocation, or license bar; or

(d) Conviction of driving while under the influence of alcohol or drugs, or conviction of vehicular homicide, or conviction of any driving offense punishable as a felony.

(8) For purposes of reviewing driver records for eligibility or corrective action, moving violations shall not include violations for:

(a) Failure to use safety belts;

(b) Parking violations;

(c) Past convictions, suspensions, or revocations related to civil or criminal actions unrelated to driving or vehicle operation; or

(d) Speeding violations of 10 miles per hour or less over the legal speed limit only in speed zones where the legal speed limit is between 34 miles per hour and 56 miles per hour.

c. Authorized Drivers. Authorized drivers are University employees, and those officially authorized volunteers and agents. Volunteers or agents may be considered employees for

vehicle liability coverage, provided the vehicle use is solely for the benefit of the University or to conduct University business, and the volunteer or agent is officially authorized to drive by the head of the department or by the Department of Risk Management. Contractors are NOT eligible and may not use University vehicles without written authorization from the Department of Risk Management. Refer questions regarding eligibility or use by volunteers or agents to the Department of Risk Management or Fleet Services.

Authorized drivers are NOT consultants or vendors, students or faculty/staff visiting from other colleges, visiting artists or speakers, members of special event groups, government representatives, members of visiting athletic teams, members of visiting student groups, or members of visiting community organizations.

d. Vehicle pickup at Fleet Services — display of license, authorized drivers only. A Fleet Service vehicle will not be released to any person other than an authorized, approved driver of the requisitioning department. A Fleet Service vehicle will not be released to any person unless the person presents an unexpired (no grace period) U.S. driver's license that reasonably identifies that person. International driver's licenses will not be accepted.

    (1) UI employees with out-of-state driver's licenses — A vehicle will be released if an out-of-state driving record review has been performed and the driver has been found in compliance with UI Fleet Safety Program driving standards, or if a Disclosure and Release of Consumer Report information form is completed prior to vehicle pickup and departure.

    (2) Student organization drivers (non-employed students) — UI vehicles will be released only if an out-of-state driving record review has been performed in the last six months and the student is in compliance with UI Fleet Safety Program driving standards.

e. Driver record review process.

    (1) Departments are required to submit a list of drivers with license information to the Department of Risk Management annually for those drivers who will have routine access to departmental vehicles. The driving records will be reviewed to determine compliance with the Fleet Safety Program driving standards, and the department head will be provided with a list of approved drivers. To add employees to their approved driver list, departments should submit new names and driver license information to the Department of Risk Management for review and approval, prior to allowing new employees to drive departmental vehicles.

    (2) Fleet Service rentals. Fleet Services will review the driving record of individuals listed on the requisition as drivers or alternate drivers prior to release of the vehicle. Drivers may be required to sign a statement certifying compliance with the University Fleet Safety Program requirements regarding licensing, convictions, moving violations, or accidents.

    (3) Vehicle operators — employed to drive. Where driving is a condition of, or a substantial part of, employment duties (Cambus drivers, parking enforcement staff, security patrol, bus drivers, delivery, valets, couriers, motor vehicle operators I and II, patient transport operators, or 50 percent of time is spent driving), the employee's past-three-year driving record will be reviewed for compliance with these driving standards semi-annually.

    (4) Job applicants. Job applicants must comply with the Fleet Safety Program standards prior to employment. Individual departments should forward driver-record information with a request for review to the Department of Risk Management. The individual department may require more frequent record review and may impose more restrictive standards, or require other education or training requirements, other than those provided under this Fleet Safety Program, as a condition of employment.

f. Authorized passengers. Authorized passengers include those in official University-sponsored or -authorized transportation programs (Cambus, patient transportation van, employee vanpool, student field trips, etc.) and University employees, agents, or volunteers while on authorized University business.

    (1) Authorized passengers may also include persons who are on campus at the University's request, for example, for potential employment at the University, to provide contracted services, or for participation in a University event or program. Other examples of authorized passengers include visiting faculty/staff, visiting artists or speakers, government representatives, members of visiting athletic teams, or community organizations. All other passengers are prohibited from traveling in University vehicles.

    (2) Examples of unauthorized passengers are employee's spouse, children, or other family members, students, friends, or neighbors of a University employee driver, or members of the general public.

g. Approved uses. University vehicles may be used solely for the purpose of conducting University business. Examples of approved uses include conducting departmental business; business errands; educational field trips when supervised and accompanied by faculty or a University employee on site; University-related, -sponsored, or -approved conferences, meetings, or events; conducting research under the supervision of a University employee; and use by volunteers in programs sponsored by, directed by, or for the sole benefit of the University.

h. Travel to Canada or Mexico. University vehicles may not be taken into Mexico or Canada without the prior written consent of Risk Management, Insurance, and Loss Prevention, 430 Plaza Centre One, https://uiowa.edu/riskmanagement/.

i. Departmental programs and student drivers. Departments may authorize student drivers of University or departmental vehicles for transporting students to conferences, meetings, or other programs when ALL of the following criteria are met:

    (1) The event or program is directly related to the academic program in the department and the student travelers are currently registered students in that academic program.

    (2) The students' attendance at the event or program is at the request of the department head, and the trip is financially supported by the department.

    (3) An authorized Primary Driver shall be designated and hired by the department to be responsible for providing information to drivers and passengers regarding vehicle-use policies, securing the vehicle during the trip, performing head counts, assigning drivers, and determining rest stops.

    (4) The vehicle shall be used only for normal transportation to and from the event or program, not for personal purposes or unauthorized side trips.

    (5) Written departmental authorization must be provided to the Department of Risk Management or Fleet Services for prior review and approval (contact Risk Management for forms).

    (6) All student-drivers must meet Fleet Safety Program requirements, including successful completion of the online defensive driver training courses offered through Fleet Services.

j. Personal liability. In compliance with Iowa law and University policy, the Fleet Safety Program strictly prohibits the use of University vehicles for personal purposes, vacations, or trips, or to conduct personal business, or for transportation of non-University passengers (except as authorized) or use by family members. Any employee, student, or other person who uses University vehicles for personal transportation or other personal purposes is personally liable for any accident that occurs during such personal use.

k. Student government and student organizations — restricted use.

(1) University student government representatives may use University vehicles only for transportation to national conferences and meetings or to meetings of the Board of Regents, State of Iowa. Other officially recognized University student organizations may use University vehicles for transportation to their organization's national or regional conference or official sports club competition.

(2) Authorized drivers may only be student-members of University-recognized student organizations and government, University faculty or staff officially associated with the organization, or pre-approved alternate drivers.

(3) Student-members and alternate drivers must complete the University's defensive driving course offered through Fleet Services prior to obtaining a Fleet Service vehicle. Contact Fleet Services for information and to arrange for the defensive driving course. Passengers may be only authorized drivers, alternates, official members of the student organization or student government, and any University faculty and staff directly associated with the organization. The University's liability coverage does not extend to unauthorized drivers, vehicles, or non-approved uses.

(4) The student organization must designate a Primary Driver for the trip who will be responsible for providing information to drivers and passengers regarding vehicle-use policies, securing the vehicle during the trip, performing head counts, assigning drivers, and determining rest stops.

(5) In the event vehicles are not available from Fleet Services for the above purposes, student government representatives and student organizations may allow use of privately owned or rental vehicles for the above purposes with prior written authorization (the University may require proof of insurance). Rental fees, mileage, or other expenses incurred by individuals or organizations in violation of this policy are not an allowable University travel expense and will not be reimbursed.

(6) Prior written approval of all vehicle requests is by the Dean of Students (through the Center for Student Involvement and Leadership, and through Recreation Services for sports clubs) and Fleet Services. Vehicle request forms shall include information on proposed use, driver information, and passenger list.

Violation of this policy may result in sanctions against an individual driver, student, University department, or student organization. Refer to the Center for Student Involvement and Leadership for vehicle request forms and information regarding approved uses, conduct, and other University policies, rules, regulations, or restrictions that may apply. Student groups or clubs that are not officially recognized by the University as a University student organization are prohibited from using any University vehicle.

l. Accidents — corrective action, penalties, and restrictions. An "at fault" accident is an accident which results in bodily injury or in property damage of more than $1,000 (all parties combined) in which the employee driver was more than 50 percent responsible, as determined by the Department of Risk Management. In making the determination of fault, all relevant information including information provided by the adjusting agency, the University driver, others involved in the accident, information provided by witnesses to the accident, and information contained in any investigating officer's reports will be considered.

(1) After any "at fault" accident involving a University vehicle, the driver's record will be reviewed for compliance with the Driving Standards. A driver must complete the University's defensive driver course within three months of an "at fault" accident involving a University vehicle, and/or prior to reinstatement of vehicle privileges previously suspended by the University.

(2) Second "at fault" accident. Drivers who have a second "at fault" accident in a University vehicle in a two-year period are prohibited from driving University vehicles for three months following the accident.

(3) Third "at fault" accident. Drivers who have three "at fault" accidents in a University vehicle in a three-year period are prohibited from driving University vehicles for one year following the accident.

(4) Fourth "at fault" accident. Drivers who have four or more "at fault" accidents while using a University vehicle in a five-year period will be permanently restricted from driving University vehicles.

m. Suspension of privilege to drive.

(1) In the event of an "at fault" accident where there is substantial property damage ($2,000 or more) or injury, or serious criminal violation, driving privileges may be immediately suspended for the use of University vehicles. The employee and his or her department shall be notified of the dates and terms of suspension.

(2) Driving privileges shall be suspended pending the outcome of a serious criminal charge involving a vehicle, a charge for driving under the influence of alcohol or drugs, charge of vehicular homicide, or any charge punishable as a felony. Other restrictions may be applied, up to and including prohibition from transporting passengers or using any vehicle (private, rented, or state-owned) on University business, if there is clear evidence of unsafe driving behavior, such as extreme violations of motor vehicle laws, that would affect the safety, health, and welfare of the driver, passengers, or the general public.

n. Fleet Safety Vehicle Appeal Board. The Fleet Safety Vehicle Appeal Board will review appeals from drivers or departments who have been adversely affected by enforcement of the Fleet Safety Program. The Vehicle Appeal Board members include representatives from the Department of Risk Management (chair), the Office of the Executive Vice President and Provost, Human Resources, Parking, Fleet Services, Student Life, and General Counsel. The Vehicle Appeal Board may implement internal administrative procedures or policies to facilitate the review of appeals and may make recommendations for change to the Fleet Safety Program.

o. Appeals. Employees or departments may appeal vehicle-use restrictions to the Vehicle Appeal Board. A written request for appeal should include information on any special circumstances that should be considered. The request should be forwarded to the Department of Risk Management, Insurance, and Loss Prevention, https://uiowa.edu /riskmanagement/. The Vehicle Appeal Board may reinstate driving privileges or vehicle use, with or without contingent conditions, if it is determined that safe and prudent operating standards will be met.

p. Probation and reinstatement. Employees who would otherwise lose their driving privileges due to non-compliance may be approved for probationary reinstatement of driving privileges by the Vehicle Appeal Board. Probationary reinstatement will require successful completion of remedial driver training and satisfaction of a clean probationary period (60 days to one year) during which the employee may not have any "at fault" accident or conviction of a driving violation covered by this program. If the conditions set by the Vehicle Appeal Board are not met, the probationary reinstatement status will be revoked and the original penalty, restriction, or corrective action will resume.

q. Defensive driver course. Drivers who are required to complete remedial driver training must complete a Defensive Driver Course or training, as required by the University Fleet Safety Program or as required by the Vehicle Appeal Board. Contact Fleet Services for information and to arrange for the training.

r. Passenger van driver training and experience requirements. Before driving a University 15-passenger van, a driver will be required to complete van driver training provided through Parking and Transportation, if the driver has had no previous experience in the operation of 12- to 15-passenger vans. Contact Fleet Services for additional information on training and experience requirements and to arrange for the training.

s. Rented, borrowed, or private vehicles — reimbursement of mileage. The University reserves the right to deny personal mileage reimbursement to any employee or driver who

does not meet the criteria required under the Fleet Safety Program.

t. Required reporting of accidents/violations.

(1) A University driver must promptly report to his or her department supervisor all accidents, moving violations, or other vehicle citations that occur while the employee is conducting University business. The driver's supervisor must immediately forward the information to Fleet Services. Failure to report accidents, convictions, and violations as required may result in the loss of privilege to use University vehicles and in disciplinary action.

(2) Hit and run and vandalism are criminal incidents and must be reported to the police or the Department of Public Safety.

(3) University drivers must report any accident or incident of damage or personal injury involving University vehicles within 48 hours (two working days). An injury or accident should be reported immediately. Accidents involving Fleet Service-based vehicles must be reported to Fleet Services. Accidents involving Cambus vehicles, private or rental vehicles, parking valets, and patient transportation and emergency medical vehicles should be reported directly to the Department of Risk Management.

(4) Failure to report an accident or incident of damage as required will be considered in assessing fault to a driver and may result in loss of vehicle, restricted use, or assessment of repair costs or insurance deductibles to the department, up to $1,000.

u. Misuse of vehicles.

(1) All drivers and departments are expected to properly safeguard the University's vehicles and use them in accordance with University policy. If it is determined that a vehicle is being misused or is at substantially higher risk of theft or damage due to a lack of reasonable precautions by the driver or department, Fleet Services or the Department of Risk Management shall notify the department. If corrective action is not taken, the department may be required to forfeit use of the vehicle and return it to Fleet Services.

(2) In the event any University vehicle is stolen or damaged from misuse or failing to take reasonable safety precautions, is subjected to intentional damage, or is allowed to be used in violation of University policy, the driver and/or the department may be prohibited from further use of University vehicles and the department will be assessed for actual damage and any associated administrative and remedial costs of up to $1,000.

v. Inspection, service, and maintenance policy.

(1) University vehicles licensed for operation on public roads are required to be serviced and maintained in accordance with Fleet Services guidelines. Every vehicle must undergo an annual inspection by Fleet Services. If authorized by Fleet Services, University departments with dedicated, full-service vehicle maintenance facilities (Cambus) with trained staff may provide services, maintenance, and inspections in compliance with this policy.

(2) The annual vehicle inspection shall focus on areas of the vehicle that directly affect its safe operation, including steering, tires, brakes, glass, lights, emissions system, and horn. The inspector will provide a written, signed report of the areas, equipment, or items inspected, including the date, name of facility and inspector, vehicle make/model and identification number, mileage, and notations of operating deficiencies. Provided the vehicle has no operating deficiencies, it shall be deemed to have passed the inspection and may be returned to normal usage. Correction of any operating deficiency must be completed within seven calendar days of the inspection. Repairs are to be performed at the Fleet Services maintenance facility or as otherwise approved in this policy. After correction of deficiencies, the vehicle must pass reinspection.

(3) Fleet Services guidelines for vehicle service and maintenance include complying with manufacturer's service recommendations; using recommended types of gasoline; maintaining proper fluid levels (oil, antifreeze coolant, brake and transmission, etc.) and ensuring proper tire pressure; working signals, lights (headlamps, turn-signal lights, taillights, brake lights, etc.), brakes, and other vehicle safety items.

(4) Failure to comply with the service, maintenance, and inspection requirements of this program may result in suspension of driving privileges, increased insurance charges, and/or loss of the vehicle.

w. Miscellaneous policies.

(1) Seatbelt use. All occupants of University vehicles are required to comply with applicable State of Iowa motor vehicle laws, including laws that require occupants of a vehicle's front seat(s) to use seatbelts. In addition, University policy requires mandatory use of seatbelts by all occupants of University 12- and 15-passenger vans.

(2) Cell phone use. Some states prohibit or restrict cell phone use while driving. Although recognizing that circumstances will not always permit strict adherence, it is recommended that the University driver safely stop and park the vehicle to use a cell phone.

(3) Towing policy. Due to special equipment and skill required, towing of a trailer or other equipment with a University daily rental vehicle is strictly prohibited unless prior written permission is granted by and obtained from Fleet Services.

(4) Long-distance driving guidelines. The University Fleet Safety Program guidelines for groups for long-distance driving are as follows:

(a) In those instances when only one authorized driver is driving long-distance (four or more hours of total driving time), the driver is required to take a 30-minute break every four hours. The driver is not to drive for more than a total of 10 hours during a 24-hour period.

(b) In those instances where a group is driving long-distance (e.g., more than one employee traveling together to a business meeting, or members of a University-recognized student organization traveling to an approved conference), at least two individuals are required to be designated drivers. Drivers are required to rotate driving duties at least once every two-hour period, and take a minimum one-hour break every six hours for all drivers and occupants of the entire vehicle. Any one driver is not to drive for more than a total of 10 hours during a 24-hour period.

(c) The above guidelines assume good driving conditions regarding road, weather, visibility, and other factors. In the event of adverse weather or other factors that may affect the ability to drive safely, first determine if the planned travel route may be driven safely (call the Highway Patrol). If it is determined to be safe to drive with appropriate precautions, the above driving limitations should be modified accordingly to account for the increased driving times.

(IC 321.11; see also V- 22.1e(2)(g) Car Rental Insurance.)

V. Administrative, Financial, and Facilities Policies

Chapter 20 – Lost or Stolen Property

(Amended 9/93; 2/11)

20.1 Reporting

Property losses must be reported to the Department of Public Safety and the Department of Risk Management, Insurance, and Loss Prevention. Any University property, including items of equipment, supplies, foodstuffs, etc., stolen or otherwise missing must be reported by phone to the Department of Public Safety, at the time that it is discovered missing. Public Safety personnel will assist the department in locating the missing property. Within 24 hours losses shall also be reported to the Department of Risk Management, Insurance, and Loss Prevention, 430 Plaza Centre One, https://uiowa.edu/riskmanagement/.

(See also V-12.9.)

V. Administrative, Financial, and Facilities Policies

Chapter 21 – Competition with Private Enterprise

(Amended 8/97; 2/02)

21.1 General Policy

It is the policy of the State of Iowa and the Board of Regents that The University of Iowa and other Regent institutions shall not compete with private enterprise. "Private enterprise" includes the manufacturing, processing, sale, offering for sale, rental, leasing, delivery, dispensing, distribution, or advertising of goods and services. Certain activities which assist in the education, research, extension, or service missions of the institutions are permitted by statute. These include on-campus activities such as the operation of residence halls and radio and television stations, providing student transportation, sponsoring or providing facilities for athletic and cultural events, and providing services to patients and visitors at The University of Iowa Hospitals and Clinics. In compliance with *Iowa Code* and the *Board of Regents Policy Manual*, the University has on file in the Office of the Senior Vice President for Finance and Operations a written protocol for:

a. reviewing proposed activities involving the sale of goods, provision of services, or usage of facilities to ensure that The University of Iowa's activities are consistent with Board of Regents policies;

b. receiving, reviewing, and responding to inquiries about activities carried out by the University; and

c. consultation with business interests in the Iowa City community.

21.2 Competition with Private Enterprise and Community Concerns

a. Purpose. In compliance with *Iowa Code* 23A, and the provisions of the *Board of Regents Policy Manual* 2.2.8D, The University of Iowa adopts the following written policy on Competition with Private Enterprise and Community Concerns in order to establish:

(1) A mechanism for reviewing proposed activities involving the sale of goods, provision of services, or usage of facilities to ensure that The University of Iowa's activities are consistent with Board of Regents policies; and

(2) A procedure for receiving, reviewing, and responding to inquiries about activities carried out by the University; and

(3) A mechanism for consultation with business interests in the Iowa City community.

b. University Committee on Competition with Private Enterprise and Community Concerns. The University Competition with Private Enterprise and Community Concerns Committee shall be composed of a representative from the Office of the Executive Vice President and Provost, one from the Office of Strategic Communication, one from the Office of the Senior Vice President for Finance and Operations, one from the Office of the Vice President for Students Services, one from the Office of the General Counsel, and one faculty member appointed by the Senior Vice President for Finance and Operations in consultation with the Faculty Senate. The committee chair will be appointed by the Senior Vice President for Finance and Operations. The committee shall:

(1) Meet, on an as-needed basis, to deal with specific concerns raised by members of the public with respect to activities of The University of Iowa involving the sale of goods, provision of services, or usage of University facilities; and to review any proposed activities of The University of Iowa involving the sale of goods, provision of services, or usage of facilities to ensure that the activities are consistent with Board of Regents policies.

(2) Consult, on an as-needed basis, and in conjunction with the Senior Vice President for Finance and Operations, with representatives of the Iowa City community and of business interests in the Iowa City area for the purpose of:

(a) Advising The University of Iowa on its policies and procedures regarding the sale of goods or services which might compete with private enterprise.

(b) Making recommendations, at the request of The University of Iowa, on particular activities.

(3) Act in accordance with the following procedure, as amended periodically, in receiving, reviewing, and responding to inquiries and complaints about activities carried out by The University of Iowa.

c. Procedure.

(1) A private enterprise aggrieved by an alleged violation of *Iowa Code* 23A and/or *Board of Regents Policy Manual* 2.2.8D may file a complaint with the University of Iowa Office of the Senior Vice President for Finance and Operations.

(2) A complaint shall include at least the following:

(a) The name, address, and phone number of the complainant, and if a corporation or partnership, of the individual acting on behalf of that entity; and

(b) A short, plain statement of the particulars of the alleged violation sufficient to identify the University activity alleged to be improper, and the reasons why the complainant claims the activity is improper.

(3) After receiving the complaint:

(a) The committee shall investigate the allegations and, where appropriate, meet and confer with the complainant for the purpose of reaching a resolution of the complaint; and

(b) Then the committee shall issue its conclusions which shall be advisory to the University's Senior Vice President for Finance and Operations. If the complainant is dissatisfied with the decision of the University, then the complainant may appeal to the Board of Regents pursuant to the appeal process set out in *Board of Regents Policy Manual* 2.2.8D.

(IC 23A; BRPM 2.2.8D)

V. Administrative, Financial, and Facilities Policies

Chapter 22 – Travel Regulations

(Amended 8/91; 9/93; 7/95; 9/97; 9/00; 1/03; 9/1/05; 1/06; 1/07; 2/07; 2/08; 8/08; 2/09; 8/09; 1/10; 7/10; 1/11; 5/11; 5/12; 6/13; 8/13)

22.1 Policy

(11/01; amended 1/02; 1/03; 9/1/05; 1/06; 1/07; 2/07; 2/08; 8/08; 2/09; 8/09; 1/10; 7/10; 1/11; 5/11; 6/13)

a. General. Travel expenses must be itemized on an official travel expense voucher (for out-of-pocket expenses) or procurement card voucher (for expenses charged to a UI procurement card). By approving the voucher, the traveler signifies the expenses are actual costs incurred, allowable by policy, and will not be reimbursed from any other funding source or claimed as a tax deduction. Departmental approval indicates that all expenses and receipts have been reviewed and comply with the travel policy. By approving the expenses, the traveler's supervisor and the department have verified that these expenses have been incurred as University business and that they have been reviewed and approved by the appropriate individual who has been designated approval authority for this department and/or funding source. As a designated departmental approver of expenses incurred in the name of The University of Iowa via this form, the approver understands that he or she is accepting a fiduciary responsibility to comply with all applicable institutional policies. It is his or her responsibility to examine all expenses and the required supporting documentation, to determine if the charge is for a valid business purpose and for the University's benefit. The department may not approve expenditures that are outside the established University travel regulations. In special circumstances, where exception to policy is deemed essential, a written request with explanation must be submitted to the Director of Purchasing and approval must be received prior to the expense being incurred.

b. Travel expense vouchers (TEVs) must be submitted within 120 days of trip end date. Travel expenses reimbursed after 120 days will be taxable to the employee.

c. Individuals not on University-related business may accompany, at their own expense, an individual traveling on University-related business except when the method of transportation is a University-owned vehicle (see V-19 Motor Pool).

d. Receipts. Receipts for airfare, rental car, train, hotel, and conference fees and any other single expense of $75 or more must be scanned and attached to the TEV. Original receipts must be retained by the department until the TEV has been approved by the Travel Department and posted to the General Ledger.

Generic receipts, which are any receipts that do not have a preprinted or stamped conference/hotel/vendor name, are not an acceptable proof of payment. If a generic receipt is the only receipt available, the following additional documentation will be required: 1) canceled check front and back, or 2) copy of check and bank statement (information unrelated to this transaction may be redacted), or 3) credit card statement (the credit card number should be redacted).

e. Travel reimbursements are sent via direct deposit to employees whose payroll checks are direct deposited. These payments are separate payments from the payroll process. Travelers may elect to have payments sent to a different account than their payroll or to stop direct deposits by completing the direct deposit form at Employee Self Service. Where direct deposit is not an option, checks are sent to the traveler's home address provided by the department.

f. Transportation.

(1) Commercial air travel. Commercial air travel should be by common carrier. Reimbursement is allowed for round-trip coach-class fare. Travelers are expected to obtain the lowest available fare that reasonably meets their business travel needs.

To obtain the lowest fare, tickets should be purchased at least 14-21 days in advance of travel whenever possible. However, due to the cancellation penalties imposed by the airlines on almost all reduced rate tickets, travelers should try to balance the need for savings generated by advance purchase with the knowledge that travel arrangements cannot be changed without significant penalty.

Receipt. The original ticket/receipt or electronic itinerary with the proof of payment is always required for reimbursement. When a ticket is exchanged, the original ticket, the exchange (new) ticket, and the Refund/Exchange Notice must all be submitted with the travel voucher. Justification for the exchange or cancellation must be provided on the TEV.

First or business class. First- or business-class charges are allowed only for documented medical reasons, contractual agreements (i.e., speaker), or in situations approved in advance by the Travel Department. A satisfactory explanation must be included with the TEV and approved by the Travel Department before reimbursement will be made.

(2) Charter air travel. Charter air travel may be authorized by the appropriate dean or administrative officer when it is in the best interest of the University. Decisions should be based on savings to the University, taking into consideration transportation costs, lodging and related expenses, and time. Situations where charter air would be considered reasonable include, but are not limited to, the following:

(a) Where travel by commercial air is not feasible and/or where significant time savings could be realized by flying charter air.

(b) When travel by commercial means would result in such a late return that working a full day the following day would be impractical or unreasonable.

(c) Where a group of University faculty, staff, or students is traveling to the same destination and significant cost savings can be realized.

(d) To locations not served by commercial air.

(e) When there is a time emergency and it is determined that an off-campus appearance or assignment is required and of obvious benefit to the University and cannot be achieved by any other reasonable travel plan.

After authorization has been received, arrangements for the charter service should be made with a licensed flying service. The flying service is to send the billing for services to the person making arrangements for the charter flight. Submit vendor payment on a non-services e-voucher with the names of each traveler included in the comments.

When night flights are involved, only two-engine airplanes may be chartered.

(3) Personal automobile. Any person authorized to travel on University business may choose to use his or her personal automobile, but does so at his or her own risk and is personally responsible for all costs of operation, including repairs to the automobile, access charges for lost keys, parking fines or missed toll charges, and for public liability and property damage.

Mileage reimbursement will be made to the owner of the vehicle only, based on the Internal Revenue Service (IRS) mileage rate, which constitutes the primary rate. The primary rate will be used as stated in paragraph (a) below. The secondary rate (calculated at 50 percent of the primary rate) will be used under all other circumstances. The actual mileage driven (shortest or most convenient route directly to and from business destination) must be stated in the description column of the TEV. Mileage is calculated from home or business, whichever is shorter, to the destination. Mileage over this maximum is taxable per the IRS.

(a) In any of the following circumstances the primary mileage rate may be claimed:

(i) The round-trip distance traveled is less than 100 miles;

(ii) The round-trip distance is more than 100 miles and a motor pool vehicle is requested, but is not available;

(iii) Use of a motor pool vehicle is not possible or not feasible (i.e., faculty or staff members are located in an area not served by campus motor pools); or

(iv) Round-trip travel to/from designated airports is greater than 100 miles and the lower airfare cost justifies use of the designated airport. Designated airports are Moline and Des Moines.

(b) Meals and lodging en route are allowed if one of the following conditions is met:

(i) Two or more persons are taking the same trip at University expense;

(ii) There is no adequate common carrier between points of travel;

(iii) It is necessary to transport delicate instruments or excessively bulky material not readily adapted to common carrier transportation;

(iv) There is a justifiable time emergency; or

(v) When savings to the department can be demonstrated (see example below) and time away from work for driving has been appropriately approved. Meals, mileage, and hotel costs must be compared to a round-trip coach airfare ticket purchased two weeks in advance of the trip plus ground transportation to and from airports. An official airfare quote from a travel agency must be attached to the travel voucher.

Example, case (v):

Oklahoma City, OK, 1362 miles @ $.25	$ 340.50
Hotel one night each way @ $ 50.00	100.00
Meals en route lunch and dinner — 2 @ $12 + 2 @ $20	64.00
Total	**$ 504.50 (a)**
Travel agency airfare quote	624.00
Ground transportation to and from airports	50.00
Total	**$ 674.00 (b)**
Savings to the department (**b** minus **a**)	**$ 169.50**

(c) If none of these conditions are met, reimbursement will be the lower of:

(i) Mileage reimbursement alone (meals and lodging are not allowable); or

(ii) Round-trip coach-class plane fare plus ground transportation to and from airports.

(d) Moving mileage, meal, and hotel costs:

(i) Mileage is limited to the IRS rate for moving expenses; and

(ii) Meals and hotel expenses are allowed, but all meals are taxable and hotel expenses in town for more than one day are taxable to the employee.

(4) Private aircraft. The University permits, but does not require, travel on aircraft that is personally/privately owned by a University traveler or employee. The University does not evaluate or affirm the credentials or skills of any individual pilot, ascertain the airworthiness of any plane, or affirm the safety of personal/private aircraft operation. Travelers are solely responsible for their decision to use a personally owned or privately leased/rented aircraft to travel. Travelers may wish to confer with their personal insurance representative prior to travel.

(a) Requirements. Any person authorized to travel at University expense and who intends to use/pilot a personally owned or privately leased aircraft for transportation while on approved University business must meet certain conditions and submit specific information. The conditions are:

(i) Traveler must be a licensed/certified pilot.

(ii) Passenger travel must be optional. Alternative modes of travel must be available without adverse consequences that would unduly influence the decision to travel by private aircraft. All travelers in the private aircraft must be at least 18 years old and must provide a signed Release of Liability.

(iii) Purpose of travel — The purpose of the travel must be within the scope of employment.

(iv) Savings — Cost savings or time savings must be realized, or there must be no adequate common carrier to point of travel.

In addition, the following information must be on file with the Risk Management Office and the Travel Department prior to travel:

(v) Completed Aircraft Information Form (available from the Department of Risk Management).

(vi) Certificate of insurance. Insurance coverage in the amounts designated below must be maintained. The University of Iowa, the Board of Regents, State of Iowa, and the State of Iowa must be named as additional insured on the aircraft liability insurance. The policy must provide no less than 30 days notice of cancellation and must include waiver of subrogation for covered claims. The following limits apply:

(A) 5-seat capacity or less — $1,000,000/occurrence, with no per-seat limit.

(B) 6-8-seat capacity — $2,000,000/occurrence, with a minimum of $300,000 per-seat limit.

(C) 9-seat or greater — $3,000,000/occurrence, with a minimum of $300,000 per-seat limit.

(vii) Release of Liability form for each University employee and passenger.

(b) Reimbursement. University travel reimbursement shall be at the following rates:

(i) Personally owned aircraft. Mileage rate is based on the General Services Administrative (GSA) rate for airplanes. Reimbursement may not exceed cost of coach class commercial airfare to the nearest airport and ground transportation to and from business destination. Reimbursement includes all costs of operation, landing fees, fuel, etc. These costs may not be claimed in addition to the mileage reimbursement.

(ii) Private leased aircraft. Actual documented cost of rental, fuel, airport landing fees. Total reimbursement may not exceed the cost of coach class commercial airfare to the nearest airport and ground transportation to and from business destination.

The traveler who uses a personally owned or privately leased aircraft is responsible for payment of all costs of operation, including licenses, fees, FAA certificates, fines, rental charges, storage costs, fuel, repair costs, and aircraft and passenger liability insurance.

The cost of the expense must be split among all University employees using the split expense functionality within ProTrav.

(c) Liability. The University travel reimbursement rate above includes a provision for expenses, including insurance, in the mileage rate calculation. Therefore, in the event of an accident, the traveler who pilots a personally owned or privately leased aircraft must rely on his or her own personal aircraft liability insurance policy as the primary liability coverage.

The University is not responsible for personal injury or damage for individuals who choose to travel in a privately owned or leased aircraft. In the event of accident, injury, or damage, travelers must look to the responsible party, i.e., the pilot and/or the owner of the aircraft or their insurance, for recourse.

(5) University-owned automobiles. See V-19 Fleet Services. Travelers using Fleet Services vehicles must state such and list all University employees who shared the vehicle on each individual TEV.

(6) Vehicle rental. University employees are expected to secure rentals from the University contracted vendor (see paragraph (a) below). Reasonable rental charges for standard/midsize vehicles are allowed. Additional charges for upgrades are not allowed unless there is a reasonable business purpose. A justification for the upgrade must be provided on the TEV.

The itemized receipt from the car rental agency must be submitted. Gasoline costs not included on the rental agency invoice may also be claimed for reasonable business usage. If the rental included includes any personal days, the total cost should be divided by the number of total rental days and then multiplied by the number of business days.

Collision and/or physical damage is covered under the University's self insurance program. Collision Damage Waiver (CDW) or Loss Damage Waiver (LDW) should not be purchased for business rentals. Insurance coverage for personal effects (PAI), credit cards (PEC), or health/life insurance, etc., is not reimbursable.

(a) Rentals from contracted vendor. The University has a contract with a vehicle rental agency, and employees are expected to use this contract in order to obtain sufficient insurance coverage. No additional insurance should be purchased and may not be reimbursed.

(b) Rentals from non-contracted vendor. See V-15.4 Auto Insurance for Risk Management's policy on potential, additional liability costs.

(i) Travelers who must use another car rental provider in locations where the contracted vendor does not supply should verify that basic liability insurance is included in the rental. If liability is not provided, basic liability coverage insurance should be purchased and is an allowable expense.

(ii) When travelers choose to use another car rental provider where the contracted vendor is available, basic liability coverage must be included in the rental or purchased at the traveler's expense.

(c) Car storage and parking. Itemize by date and attach receipts for storage to the voucher. Charges for car storage and parking are allowed only when mileage reimbursement for a personal car or rental automobile is allowed, or when a University-owned car is used.

(7) Taxi. Actual, reasonable taxi, shuttle, or other local transportation costs are allowable expenses. Itemize by date and indicate points of travel in the description.

(8) Tolls. Bridge or road tolls are allowable items of expense.

(9) Rail travel. Standard coach class seating is allowable. Sleeper accommodations are allowed only when there is a demonstrated cost savings compared to coach class air travel, or when justified as essential on the travel voucher. Claim rail expense in the Transportation column and attach original passenger receipt.

g. Lodging.

(1) General. Attach the itemized hotel/motel bill/folio to the voucher. Lodging reimbursement is limited to the actual/reasonable cost of a single room plus applicable taxes. Travelers are expected to seek standard, reasonable lodging accommodations that are comfortable, convenient, meet the business need, and offer good value. Travelers are encouraged to ask for the discounted rate when making reservations (i.e., the government/educational/corporate rate). Lodging rates set by federal regulations will be used as a guide in determining whether a cost is reasonable. These rates are reviewed and amended periodically and are available on the Travel web page.

(2) Maximum allowances:

(a) If the hotel is the site of the conference, reimbursement will be the actual cost of a standard single room plus tax. A hotel qualifies as a conference site when the conference or related events are held within that hotel or it is designated as the headquarters hotel. Documentation listing the hotel as the conference site must be attached to the voucher and the appropriate box checked on the voucher. The least expensive room should be selected for full reimbursement. If not available, please provide documentation that the selected room was no longer available.

(b) If the hotel is not the site of the conference, but the cost is equal to or less expensive than the conference site hotel, the actual cost plus tax will be reimbursed when documentation showing the cost of the conference site hotel is provided.

(c) If neither (a) nor (b) applies, reasonable hotel accommodations will be reimbursed. The University reserves the right to determine what is a reasonable amount. A reasonable amount for non-conference hotel costs may be the maximum of the Federal Travel Directory (FTD) hotel per diem rate for that city. The

FTD maximums can be located at https://uiowa.edu/ap-purchasing/domestic-travel#meal. For international travel, reimbursement is limited to the federal government lodging maximum. International rates are available at the U.S. Department of State website at http://aoprals.state.gov/web920/per_diem.asp.

(3) Shared hotel. If sharing the room with another person (or persons), please indicate on the voucher whether the person(s) traveled on University-related business.

(a) If sharing with another University employee on University-related business, the cost of the hotel expense must be split between the travelers using the split expense functionality within ProTrav.

(b) If sharing with a colleague(s) from another institution, only the portion for the UI employee will be reimbursed.

(c) If sharing with a person(s) who is not on University-related business, reimbursement will be limited to the single room rate or 75 percent of the double room charge. If claiming the single room rate, clear documentation of the single room rate must be provided. Acceptable documentation includes official housing information from conference materials or official verification of the single room rate provided by the hotel, on hotel letterhead.

h. Meals.

(1) Actual meal costs. Actual meal claims are reimbursable but cannot exceed the maximum daily allowance (see below). Attach a receipt for any individual meal claim of $75 or more. Meal tips and snacks are only allowed up to the maximum daily allowance. Alcohol is not a reimbursable expense.

(2) Maximum limits for actual meal costs. Any meal cost over domestic or international limits will be at the traveler's expense.

(a) For domestic travel, maximums will be based upon rates set by the federal government for each out-of-state destination and $31/day for in-state locations on days the traveler is in travel status the full day. On days of departure and return the maximum allowance will be prorated according to the time and meal charts below, allowing 20 percent of the meal allowance for breakfast, 30 percent for lunch, and 50 percent for dinner. The traveler must be in travel status during the following time frames to qualify for individual meal reimbursements. Travel status is defined as the time the traveler leaves his or her home or office until the time the traveler returns to his or her home or office.

On date of departure the traveler must leave prior to:

6:00 a.m. To claim breakfast
11:00 a.m. To claim lunch
5:30 p.m. To claim dinner

On date of return the traveler must return after:

8:00 a.m. To claim breakfast
1:00 p.m. To claim lunch
7:30 p.m. To claim dinner

(b) For international travel, the federal government maximum for the specific destination applies. These rates are available on the Travel web page or by contacting the Travel Department. For partial days of travel, meal allowances will be prorated based on the time of arrival in or departure from the foreign country, allowing 20 percent of the meal allowance for breakfast, 30 percent for lunch, and 50 percent for dinner.

(3) Shared meals. If meals for other UI employees are paid by the traveler, the cost of the meal must be split among all University employees using the split expense functionality within ProTrav. If the individual(s) is (are) not a University employee(s), the name and affiliation must be provided.

(4) Taxable meals. Meal costs reimbursed to University employees for non-overnight trips will be subject to withholding and reported as taxable income in accordance with Internal Revenue Service regulations. The cumulative taxable amount and the amount withheld will be reported on the W2 form mailed at the end of the year. If the traveler is not requesting reimbursement for overnight accommodations, please indicate so on the TEV.

(5) Business meals while in travel status. Business meals while in travel status are allowed only if non-UI employees are involved in the meal. Meetings with only UI employees are limited to actual costs up to the maximum per diem for that city. The cost of the meal must be split among all University employees using the split expense functionality within ProTrav. The name and business affiliations of the non-UI travelers and purpose of the meeting/meal must be provided. This meal claim is subject to food and beverage purchasing guidelines (see V-11.25a).

i. Registration fees. Registration fees should be paid by procurement card or e-voucher. Registration receipts showing proof of payment are required. Details of the conference or meeting agenda must be included with the TEV. Specifically, documentation showing which meals are provided should be included. If no official receipt is provided, copies of both sides of canceled checks are acceptable receipts for registration fees.

j. Other expenses. Itemize each charge by date and explain the charge in the description field. Allowable items may include:

(1) Tips. Maid and baggage tips should be reasonable amounts; itemize by date and indicate the purpose or the person to whom paid in the description column. Meal tips must be included in the cost of meals.

(2) Baggage expense. Itemize by date and explain in the description column whether the charge is for storage or transportation.

(3) Telephone. Itemize University-related business calls by date.

(4) Traveler's checks. The cost of traveler's checks is an allowable item unless reimbursement is from Department of Defense or National Aeronautics and Space Administration contract and grant funds awarded to the University.

k. Charges not allowed. Charges not allowed include personal insurance, personal phone calls, baggage insurance, laundry, entertainment, valet, alcohol, airline club memberships, extended leg room accommodations on airlines, pre-set selection (unless required by the airline), and other items as determined by the Travel Department. Exceptions to any items on this list would need to be justified by the traveler and approved by the Travel Department.

l. Travel charges on University of Iowa procurement cards. All allowable travel expenses may be charged to a University procurement card. Procurement cards may be obtained for any UI employee who travels on a regular basis for University business.

m. Foreign travel.

(1) Policies and rates for meals and lodging approved by the U.S. Department of State are to be followed unless University department or granting agency regulations are more restrictive. Receipts for hotel, car rental, registration, and other transportation are always required to substantiate the actual cost. Other receipts are required

only for expenses $75 and greater.

(2) The traveler may be reimbursed at up to 150 percent of the per diem rate approved by U.S. Department of State only if justified as essential due to special circumstances and approved by the appropriate University officials and the Travel Department in advance of travel. Exceptions not authorized in advance of travel may be considered and authorized by the Travel Department only after careful review and consideration of any unanticipated costs. The traveler must provide an explanation of the extenuating circumstances and original receipts supporting all lodging and meal expenditures. Reimbursements in excess of the U.S. Department of State rates will not be approved if prohibited by granting agency regulations.

(3) Currency conversion. All expenses must be itemized and reported in U.S. currency on the travel expense voucher. Rates of exchange may be obtained from the Travel web page or at a local financial institution. The exchange rate and source must be referenced on the voucher. The required receipts should be attached to the travel expense voucher and individually labeled (hotel, meal, taxi, etc.) and converted to the U.S. dollar equivalent.

n. Travel incentive programs. University employees may participate in certain air travel and lodging discounts and incentive programs for their own individual travel, but do so subject to the understanding that any volume rebates or other incentives earned are the property of the University and should be used on business travel. No reimbursement is allowed for the "value" of travel incentives or certificates for which there was no cash outlay.

o. Group/team travel. University of Iowa group/team travel is subject to University travel policies and meal and lodging allowances. Exceptions will be made to the standard individual cash advance policy. An amount large enough to reasonably cover meal and miscellaneous expenses for the group/team will be allowed. Hotel expenses should be charged to a University procurement card or direct billed whenever possible and should not be included in the cash advance request unless no other payment method is available. Group/team airfare other than charter air should be purchased through one of the University's preferred travel agencies (see V-22.3a) and charged to a UI procurement card whenever possible. This should be done in order to obtain discounts and additional insurance coverage provided by the University's airline and credit card agreement(s). When an outside travel agency must be used or provides documented cost savings, airfare should be charged to the procurement card or paid directly to the agency via a non P.O. voucher and invoice. Exceptions to meal limits will be allowed for student group travel when it is necessary to keep students in one location. Prepaid cash advances will not be allowed for group/team air travel charged to personal charge cards.

p. Persons other than faculty and staff. Persons traveling on University business other than faculty and staff are subject to the same regulations as faculty and staff.

q. Travel under externally sponsored agreements. In addition to compliance with University travel regulations, travel funded under externally sponsored agreements (contracts, grants, and other awards) is often subject to additional regulations of the sponsoring organization(s).

For example, travel under federally sponsored agreements generally follows the cost principles set out in Office of Management and Budget Circular A-21. Federal agencies are required to incorporate these costs principles into their policy guidelines. Some agencies, such as the Public Health Service and the National Science Foundation, have delegated authority to grantee institutions to approve non-budgeted travel. Sponsoring organizations may restrict the use of funds for certain types of travel or require sponsor approval under specific sponsored agreements. In most instances, travel restrictions are set out under the special terms and conditions section on the award notification or agreement for both federal and non-federal sponsors. In general, under federally sponsored agreements, personnel must use U.S. flag air carriers for international air transportation. Questions pertaining to externally sponsored travel should be directed to the accountant specified on the University's Award Activation Authorization Notice accompanying the notice of award from the sponsoring organization.

r. Third-party reimbursements. University travelers occasionally receive travel reimbursements from third-party sources. It is the traveler's and department's responsibility to assure that these funds are deposited to UI accounts when those expenses have been paid directly by the University via procurement card or other means or have already been reimbursed via a University travel voucher.

22.2 Procedures

(Amended 1/03; 6/13)

a. Authorization. Individuals traveling on University business, for in-state, out-of -state, and international locations must secure approval from their department and appropriate University officials to assure that the travel is approved and that funds are available for reimbursement. Out-of-state and international travel must be approved using the ProTrav trip request electronic form in advance of the trip. The University provides travel insurance for employees, students, and individuals traveling to international locations only if the ProTrav trip request is approved in advance of the departure date. Each department is responsible for establishing internal approval for in-state travel, and for informing its travelers of these processes and travel regulations.

b. Forms.

(1) The following forms are used for travel-related payments:

(a) Request for Travel Advance -- to request cash and prepaid advances for travel expenses;

(b) Request for Travel -- approval for travel and funding.

(c) Procurement Card Voucher -- to reconcile travel-related expenses charged to the procurement card;

(d) Travel Expense Voucher -- to clear travel advances and to reimburse out-of-pocket travel expenses;

(e) E-voucher -- to make direct payments to vendors for conference registrations, hotel deposits, etc., in situations where the UI procurement card cannot be used.

(2) The University of Iowa requires approval of all travel-related forms by the traveler and the traveler's supervisor, department head, or dean. The traveler's approval is required and cannot be delegated. The second signature must be the traveler's supervisor, department head or dean, or their delegate (see V-7.3 Signature Assignment). No individual may approve a form in more than one capacity. It is the traveler's and department's responsibility to ensure that the appropriate/approved departmental approvals are obtained, and/or to obtain multiple departmental signatures when required, prior to the form being sent to the Travel Department.

c. Travel advances. Travel cash advances are used to cover miscellaneous expenditures that will be incurred while in travel status (taxi, meals, tips, etc.). An approved Request for Travel Advance form, authorizing the advance amount and verifying funding, must be submitted to the Travel Department in order to obtain a cash travel advance. Travel cash advances will be limited to domestic travel over 14 days, all foreign travel, and emergencies. Requests for amounts exceeding the standard $60-20 advance for other special situations will be considered. A statement of explanation and itemized estimate of expenses must be provided on the Request for Advance form for any cash advance exceeding the standard $60-20 limit. Travel cash advance checks can be picked up at the Travel Department five working days prior to the start of the trip.

Travel advances must be cleared by submitting a completed and approved travel expense voucher along with the required receipts (or repaid) within two weeks from date of

return. If settlement does not occur within the required time frame, a reminder letter is sent. If the advance is still not cleared by the time defined within that letter, the outstanding indebtedness will be withheld from the employee's payroll check or billed through Accounts Receivable for students. Any advance that is over 120 days past due will be reported as income to the individual traveler per the Internal Revenue Service. Additional advances or reimbursements will not be allowed until the delinquent advances have been cleared.

22.3 Programs: Travel Agencies

(Amended 1/03; 1/07; 2/08)

a. General. The University has two preferred agencies contracted to provide travel services to its travelers. They are Meacham Travel Service and Winebrenner Red Carpet. Both are full-service travel agencies accessible and open to the public but have a primary responsibility to provide service for University-related business to:

(1) Individuals who are employed by the University and are traveling on University-related business, whether reimbursed by the University or from other sources;

(2) Individuals who are not employed by the University, but are traveling on University-related business and reimbursed by the University; and

(3) Spouse/companion and/or family members accompanying individuals who are traveling on University-related business.

b. Service fees. All tickets purchased at these agencies are subject to service fees to cover the cost of booking and professional services offered. Current fees will be posted to the Travel web page.

c. Procedure. Travelers may contact these agencies in person, by phone, fax, email, or through the University Travel web page. Airfare for UI business travel purchased at these agencies may be paid by cash/check, personal credit card, or charged to a University procurement card.

d. Services. The following services are available through both preferred travel agencies:

(1) Airline reservations, tickets, and exchanges.

(2) Other scheduled means of travel such as train and ship as available.

(3) Foreign travel documentation as necessary. Agencies will charge appropriately for these services.

(4) Lodging reservations for both domestic and international travel.

(5) Car rental reservations.

(6) Delivery of travel documents. Both agencies will deliver either by mail or in person airline tickets, itinerary, and other travel documents to the traveler's office on campus. In addition, upon request, most agencies will deliver any requested and approved travel advances at the time of ticket delivery. The Request for Advance form must have been received and processed by the Travel Department.

(7) Spouse/companion and/or family travel. In order to assure that airline reservations for spouse/companion and/or family members of the University-sponsored traveler will be the same, both agencies will make reservations for and prepare tickets for both at the same time. The cost of the airline tickets for family members must be paid by the traveler either by personal check or credit card.

No traveler is required to use these agencies for their travel plans; however, the University strongly encourages them to in order to obtain University discounts and make the best use of University travel dollars.

V. Administrative, Financial, and Facilities Policies

Chapter 23 – Printing

(Amended 9/93; 9/02; 10/04; 12/05; 3/17)

23.1 Purchasing Officer

The Printing Department Manager is the University's purchasing officer for all printing and copying. All printed material and high-volume printing must be processed through UI Printing. Purchases related to printing and photocopying services are initiated on a standard University requisition made to the Printing Department. No commitments for printing or copying may be made without the approval of the Printing Department manager or designee. Commitments made without prior approval are voidable. Design services for printed materials may be provided or purchased from outside the Printing Department without prior approval, but the design process should be coordinated with the Printing Department, and the design project may not include printing without explicit prior approval. Designs must comply with *University Brand Manual* established by the Office of Strategic Communication.

(See also II-20; V-11.9d and g; VI-21.)

V. Administrative, Financial, and Facilities Policies

Chapter 24 – (Reserved for future use)

V. Administrative, Financial, and Facilities Policies

Chapter 25 – Vending Machines

25.1 Conditions for Installation and Operation

Vending machines may be installed and operated on the campus. For further information, contact the Director of Business Services.

V. Administrative, Financial, and Facilities Policies

Chapter 26 – Alcoholic Beverage Service Guidelines and Procedures for The University of Iowa

(Amended 5/12)

26.1 General Policy

(Amended 5/12)

a. The basic policy of the University with respect to the service of alcoholic beverages is to restrict use to a secondary position in programmed activities. Alcoholic beverages are regarded as a social amenity related to educational, cultural, and recreational programs, and the sale of such beverages will be confined to this purpose.

b. The provisions listed below govern the service of alcoholic beverages on campus under the direction and control of the University Dining (UD), which is under the oversight of University Housing and Dining.

c. As space is available, individuals or groups may schedule food events with alcoholic beverage service in accordance with the regulations in this policy. Such groups must use the UD services for this purpose as provided in V-26.2c.

26.2 General Conditions

(Amended 5/12)

a. All service will be within the limits set forth in the alcoholic beverages license.

b. All service will be in accordance with the rules and regulations of the University.

c. All beverage service (alcoholic and non-alcoholic) will be supplied by UD. The dispensing and control of alcoholic beverages are the responsibility of UD.

d. University Dining reserves the right to limit the total attendance in a room and the quantity of alcoholic beverage to be provided (based on the estimated number in attendance, the length of the event, and the general behavior of those attending).

e. There should be no reference to alcohol in advertising for the activity.

f. Events at which liquor (that is, distilled spirits other than beer and wine) is served are closed to the public. Only beer and/or wine may be served at events open to the public. Such events may be held in facilities designated. This policy (V-26.3b) is authorized by the Vice President for Student Life. Alcoholic beverages for public consumption are limited in a designated facility (see V-26.3b).

g. Service is available daily (including Sundays). Liquor service and beer/wine service are not generally available before noon and will end one-half hour prior to the close of an event.

h. Students and others must be 21 years of age or older to consume alcoholic beverages in accordance with state law and provisions in the *Policies and Regulations Affecting Students* and this policy.

i. Appropriate monitoring to assure that alcoholic beverage consumers are of legal age will take place at all events where alcoholic beverages are served and is the responsibility of UD. University Dining reserves the right to provide usher(s) at a cost to the sponsoring organization whenever restricted access is required, admissions is charged, or the estimated attendance is 100 or over.

j. It is illegal for any State of Iowa liquor licensee, which includes UD, to accept free alcoholic beverages from any outside source. A distributor may donate funds directly to sponsoring organizations only. These organizations are then responsible for full payment of any charges incurred. University Dining charges will include the cost of the requested item(s) plus additional fees to cover indirect costs of operation, such as: use of equipment, labor (set up and/or clean up service), cups, and administrative overhead.

26.3 Services Available through University Dining (UD)

(Amended 5/12)

a. Liquor Service at Non-Public Events.

(1) Cash Bar. Liquor service by the means of a cash bar must be for a closed group, either by invitation or advance ticket or as part of a closed scheduled food event. Sufficient stock will be provided for the time specified for the event based on attendance estimates made by the sponsoring organization. Additional stock may be provided at the discretion of the UD administrator on duty.

(2) Hosted Bar. Liquor service by the means of a hosted bar must be for a closed group, either by invitation or advance ticket or as part of a closed scheduled food event. Beverage type, quantity, price, minimum guarantee in sales, and estimated attendance must be agreed upon and confirmed in writing as least two weeks prior to the event. Increases in quantity during the event must be approved by UD administration and the representative of the group making the original arrangements.

b. Beer/Wine Service for Public Events. The sale or service of alcoholic beverages at events open to the public is restricted to beer/wine and restricted to the following spaces: Iowa Memorial Union, Hancher Auditorium, Museum of Art, Alumni Center, University Theatres, University Hospital Solarium, University Libraries, Obermann Center, Carver-Hawkeye Arena, Kinnick Stadium Brechler Press Box, and other appropriate locations, for single events, with prior approval of the Vice President for Student Life. Such sale may be made by either cash bar or hosted bar. The following regulations must be observed:

(1) The event must be sponsored by a recognized student organization or University department or organization.

(2) Beer/wine will be provided only by UD, under the terms of this policy.

(3) Service of beer/wine will be restricted to those programs where food and drink are a social amenity to the program.

(4) Money collected from the sale of all beverages and food sold must be deposited to a University account through UD.

(5) Entrance to an event will be monitored in ways appropriate to the type of event. Proof of age will be required for entry. Consumption of beer/wine is restricted to designated areas. An admission ticket will not entitle a patron to unlimited beer/wine.

(6) The sponsoring organization must pay the cost of ushers, ticket takers, or special staff assistance necessary to assure proper safeguards with respect to the sale of alcoholic beverages to minors and to public safety.

(7) Reasonable food for the occasion and non-alcoholic beverage alternatives must be available.

c. Beer/Wine Service for All Events in Academic Buildings.

(1) General Policy. No sale of alcoholic beverages is permitted in academic buildings. Service of alcoholic beverages in academic buildings is restricted to the service of beer/wine and is permitted only after approval by the Vice President for Student Life.

Service of alcoholic beverages in academic buildings will not be permitted in connection with events to be open to students. For example, service of alcoholic beverages in an academic building may be permitted for a reception by the dean for developmental activities but not for a reception in connection with a public lecture. In the case of a public lecture, any reception involving the service of alcoholic beverages may be held at the locations listed in V-26.3b above, where protocols for the assurance of compliance with laws on use of alcoholic beverages by minors and for the assurance of public safety are in place.

(2) Regulations. The following regulations must be observed, in addition to the General Conditions found in V-26.2 above.

(a) The event must be sponsored by the Dean of the College having use and control of the academic building.

(b) Wine/beer will be provided only by UD under the terms of this policy.

(c) Service of wine/beer will be approved in circumstances where food and drink are a social amenity to the program.

(d) The college requesting approval for service of beer/wine must designate a room in the building in which such functions are to be held. Approval will not be granted for service of beer/wine in rooms other than the rooms designated by the colleges.

(e) Entrance to designated rooms will be monitored in ways appropriate to the type of event. Consumption of beer/wine is restricted to the designated room.

(f) The college must pay the cost of ushers or other special staff, if necessary, to assure proper safeguards with respect to the service of alcohol to minors and public safety.

(g) Reasonable food for the occasion and non-alcoholic beverage alternatives must be available.

d. Rules for residence halls. Rules governing the service or consumption of alcoholic beverages in residence halls are found in the *Residence Halls Guidebook*.

V. Administrative, Financial, and Facilities Policies

Chapter 27 – Parking Regulations

(Amended 9/93; 12/05; 12/06)

27.1 General

The Department of Parking and Transportation oversees the operation, maintenance, and construction of all parking facilities on the main campus. Parking and Transportation operates three main Parking units: Parking Services, Parking Facilities Operations, and Commuter Programs.

a. Parking Services is located in the Iowa Memorial Union (IMU) Parking Ramp and addresses most questions regarding faculty, staff, and student permit parking, waiting lists, parking enforcement citations or violations, appeals, parking for conferences and special events, and contractor parking. Parking Services also is the point of sale for employee and student bus passes, bicycle registration, and payroll deductions. Printed maps and parking and bicycle regulations are available at the Parking Services office.

b. Parking Facilities Operations, located in Hospital Parking Ramp II, is responsible for cashiering public facilities, maintaining all parking structures, lots, equipment, snow removal, large special events, and maintaining parking meters and sign production.

c. Commuter Programs, located in Hospital Ramp II, administers the employee van pool system; employee and student bus pass programs; TRIP, the Rideshare Incentive Program; car pooling; and the Emergency Ride Home Program.

27.2 Faculty/Staff Parking

Applications for parking privileges for faculty and staff members are available on the Parking and Transportation website and at the Parking Services Office in the IMU ramp. All applications for new parking must be signed by the departmental executive officer and forwarded to the Parking Services Office. Faculty or staff members may have parking charged as a pre-tax payroll deduction. Persons not on the University payroll must remit parking fees with their application. Parking assignments to lots are made on a space-available basis, and some lot assignments are made on a priority basis. Unusual parking requests, or circumstances which require special assignment of space, should be explained fully when an application for parking is made. Requests for parking based on a disability must be submitted with a medical statement clearly stating the circumstances and proof of possession of a state parking permit for the disabled.

Appropriate permits are mailed to each individual whose application is approved. Faculty and staff are expected to be familiar with and to abide by the parking regulations. Questions concerning parking should be directed to the Parking Services Division located at the IMU Ramp.

For faculty/staff parking assignment policy, see V-27.6 below.

27.3 Parking Violations

The Department of Parking and Transportation is responsible for the enforcement of parking regulations on campus. The department also originates the billing for parking violations and coordinates appeal procedures through the Faculty/Staff Appeals Committee and the Student Traffic Court. Appeals on parking violations written for members of the general public are handled administratively. All violation appeals are directed to the Parking Services Office for distribution.

27.4 Conference and Special Event Parking

Upon request, the Department of Parking and Transportation will, where possible, make special parking arrangements for conferences, institutes, short courses, and athletic or other special events which have not been arranged through the Center for Conferences. A fee may be charged to cover costs. It is recommended that the charge for parking be included in any registration or attendance fee. To secure the necessary parking permits and space, a requisition stating the number of permits needed and the dates should be sent to the Parking Services Office. Parking for conferences and special events arranged through the Center for Conferences is handled through that office.

27.5 Parking for Contractors and Consultants

Unless otherwise specified by contract, contractors doing work within the University campus are not allowed to use University student, faculty, and staff parking facilities. Space for parking, other than that which a contractor can utilize within the site of the construction work, must be arranged for in advance. Permits for laborers on the campus will be issued after the payment of parking fees commensurate with those charged to University staff. Consultants not on the University payroll but doing work for University departments may be issued parking permits on a space-available basis upon payment of fees commensurate with those charged University staff.

27.6 Parking Assignment Policy

The policies governing faculty/staff parking assignments have been designed to balance a concern for fairness with the functional needs of the University. To ensure fairness, faculty/staff parking facilities have first been allocated among the numerous work sites around campus in an effort to provide reasonable access to most employees.

a. Employment status. University of Iowa permanent employees who work half-time or more as defined by University Human Resources are eligible to receive a parking assignment to a 1) ramp reserved facility, 2) surface reserved facility, or 3) commuter parking facility.

   Permits may be made available in faculty/staff parking facilities to employees who work less than half-time or to currently registered students on a space-available basis.

b. Work address. An employee's eligibility for a specific parking facility is dependent upon his or her work address. Each University work address has a range of parking site options that includes both reserved and commuter assignments.

c. Waiting lists. Many parking facilities are regularly assigned to capacity so the rate at which new assignments can be made is dependent upon the rate at which current assignments are canceled; someone has to leave in order for a space to become available for a new assignment. Since demand exceeds the capacity of many ramps and lots, Parking and Transportation maintains waiting lists for these facilities. Most new assignments are made from these waiting lists.

   Waiting lists for individual parking facilities are organized according to two factors. First, all names on the list are divided into the two categories of either faculty or staff. Second, each of these categories is organized according to the employee's University of Iowa employment start date, with the oldest dates receiving the highest priority.

The faculty classification is very specific and includes only full-time (50 percent or greater) tenured, tenure track, visiting, or clinical faculty with classifications of FT, FS, FV, or FQ and rankings of 1100, 1200, or 1300. The faculty classification also includes the President, vice presidents, deans, associates (FH 16 only), and select University officials and administrators. Other assignments may be made at the discretion of the Director of Parking and Transportation. All other University of Iowa employees are classified as staff regardless of their individual classification. This includes merit staff, professional and scientific staff, adjunct faculty, house staff, most administrators, and others.

Since each list is organized according to University of Iowa employment date, the relative positions of each individual on a list may change over time. Individuals with older employment dates may apply later and move ahead of individuals already on the list. To qualify for an assignment made within a particular month, employees must have their name on the list by the end of the prior month.

d. Assignments. Assignments are made to each facility on an alternating basis from the separate lists of faculty and staff. If there are two assignments to make, one will come from the top of each list. If ten assignments are to be made, then five will come from each list. If the last assignment made to a facility came from the faculty list, then the next assignment will come from the staff list. Exceptions to this can be made by the Director of Parking and Transportation.

(See also IAC [681]4.1–4.8.)

V. Administrative, Financial, and Facilities Policies

Chapter 28 – Campus Speakers and Programs

(Regents 10/23/64; President 6/12/73)

28.1 Regents Policy

(Regents 10/23/64)

It is the policy of the Board of Regents, State of Iowa, expressed through the institutions of higher education under its control, to permit students and employees to hear diverse points of view from speakers and programs sponsored by recognized student, faculty, and staff organizations. This policy is entirely consistent with the aims of higher education. It is designed to emphasize that in a democratic society all citizens have not only the right but the obligation to inform themselves on issues of contemporary concern including politics, religion, ethics, and morals. Therefore, the Regents approve the following procedure for effectuating this policy:

a. Administration. The President or a committee designated by the President, or both, shall be responsible for the administration of this policy on a particular campus.

b. Restrictions. In sponsoring campus speakers and programs, recognized faculty, student, and staff organizations must comply with institutional rules on the reservation of rooms in advance, the posting of notices, and the payment of rental charges when applicable and such other rules as the institution prescribes for the use of its buildings to avoid any interference with the regular program of the institution.

c. Conduct of Meetings. Whenever considered appropriate in furtherance of educational objectives, the President or the campus committee may require that at any particular meeting: 1) any speaker be subject to questions from the audience; and 2) the meeting be chaired by a tenured member of the faculty.

d. Sponsorship of Meetings. In order to encourage the presentation of diverse points of view on any issue, the President or the campus committee may at any particular meeting or from time to time sponsor, or encourage recognized campus groups to sponsor, additional speakers or programs which will contribute to the full and frank discussion of such an issue.

28.2 Guest Speakers for Academic Exercises

(President 6/12/73)

In the case of academic exercises scheduled by University departments and colleges, the following guidelines are suggested to advise the President or designee in maintaining the orderly processes of the University, academic freedom, and other conditions essential to the learning process:

a. If there is reason to believe that a scheduled speaker may be so controversial as to make special arrangements desirable, this fact should be communicated to the chairperson of the Faculty Senate. Such a communication may come from the department or college sponsoring the speaker; or from an administrative officer, faculty member, student, or other interested party.

b. Once informed, the chairperson of the Senate will consult with the Committee on University Safety and Security, the sponsoring department or college, together with other appropriate administrative officials and report as soon as possible to the Faculty Council who will then consider whether special arrangements are required in order to safeguard the orderly processes of the University and the principles set forth in the first paragraph.

c. If special arrangements are deemed necessary by the Faculty Council, the chairperson will report to the President or designee the conclusions and recommendations of the Faculty Council. The chairperson may also:

(1) communicate with the speaker and explain the situation;

(2) request the Committee on University Safety and Security to consider appropriate procedures for the speaker's appearance on campus, or request the sponsoring department or college to do so;

(3) request the sponsoring college or department to change the location of the program or to restrict attendance to professional specialists only;

(4) request the President or designee to implement V-28.1c.

(5) report in writing to the faculty or to the entire University community on the actions being taken, the reasons for such actions, and the rights of the speaker and other persons concerned.

(BRPM 4.2)

V. Administrative, Financial, and Facilities Policies

Chapter 29 – Bulletin Boards

(Amended 9/93; 5/12; 7/12)

29.1 Residence Halls Bulletin Boards

Posters to be placed on bulletin boards throughout the residence hall system are to be approved by the Assistant to the Director of University Housing and Dining, 4141 Burge Hall. Posters can be placed in only one residence or in all University-owned residence halls. Persons with questions about posting in the residence halls should contact the Assistant to the Director of University Housing and Dining, 4141 Burge Hall.

V. Administrative, Financial, and Facilities Policies

Chapter 30 – University of Iowa Intellectual Property Policy
(Amended 2/28/05; 12/09)

30.1 Intellectual Property Policy Statement

The University's policy on intellectual property pertains to patentable inventions and copyright-protected works created by its faculty members, staff members, postdoctoral appointees, and students. Because there are differences between the legal and academic treatment of copyright-protected works and patentable inventions, the University provides two companion policy statements: a Patent Policy and a Copyright Policy.

30.2 Administration of Intellectual Property Policy

The University of Iowa Intellectual Property Policy, comprising its Patent Policy and its Copyright Policy, shall be administered under the oversight of the Vice President for Research. The Vice President shall appoint an Intellectual Property Committee. The role of the Intellectual Property Committee shall be to advise the Vice President for Research regarding intellectual property matters including, but not limited to, the resolution of disputes arising from the application of the policy; in addition, the committee shall advise the Vice President of any need for altering the policy or its administrative implementation. In appointing members of the Intellectual Property Committee, the Vice President shall seek to include members from all constituencies affected by the policy. The Vice President will seek advice prior to appointing committee members from such established groups as the Faculty Senate, the Staff Council, and the Student Senate.

This policy shall apply prospectively to all inventions and copyright works disclosed on or after the date of its approval, February 28, 2005.

30.3 University of Iowa Patent Policy
(Amended 12/09)

a. Introduction.

(1) (Nature of a patent. Patent protection provides the owner with a limited period of time in which the owner can exclude others from making, using, offering to sell, or selling the invention. The resulting temporary exclusive rights to the invention can provide an incentive for a patent owner or a licensee to invest the resources required to advance the invention toward commercialization and use by the public. In return for offering temporary exclusive rights to the owner of a patent, a government requires the owner of the patent to make details of the invention available to the public in the patent document. Under United States law, the life of a patent extends 20 years from the date of application.

A patent is the grant of a property right by a government to the owner of an invention. Unlike copyright protections, patent rights do not follow automatically from the act of creation. The inventor or the patent's owner generally must request patent protection from the government of each country in which a patent is desired. The Patent Office in each country then will examine the application against its own laws and regulations and will — in due course — either deny or allow the grant of a patent in its jurisdiction. Because patent laws and associated administrative procedures are fairly complex, patent applications generally are prepared and prosecuted by specialists working on behalf of the inventor or owner.

(2) Inventions eligible for patent protection. In the United States, an invention or discovery may be eligible for patent protection if it is a process, a machine, a manufactured object, a composition of matter, or a new use or improvement of any of the preceding. Courts have interpreted the patent statute (see https://www.uspto.gov/patent) to extend to software-related inventions when there is some connection to a useful, concrete result, and to biological substances when there is some evidence of human intervention. For example, isolated DNA sequences or their purified protein products can be patented because in their "natural" states they are neither isolated nor purified. New uses of "products of nature" also may be patented, as may genetic modifications of otherwise natural organisms.

If an invention meets the threshold eligibility conditions for patenting, it still must meet additional criteria in order to earn a patent. Under U.S. law, a patented invention must be useful, novel, not obvious, and supported by adequate information.

(3) Nature of inventorship. To be named as an "inventor" on a patent, an individual must have made an original contribution to the conceptualization of the invention as it is defined in the patent. The aspects of a patent that assert the defining elements of an invention are called the "claims" of the patent. If an individual has made a contribution to the conceptualization of anyone defining claim of patent, then he or she is an "inventor" of the claimed invention. If any individual is responsible for all the claims of a patent, then he or she is the sole inventor of the patent. In any other situation, the patent will have more than one co-inventor. One is not an inventor if his or her contribution was limited to "reducing to practice" the conception of the invention.

(4) Objectives of the University of Iowa Patent Policy. The primary objective of the University of Iowa Patent Policy is to enable the public to use and benefit from inventions originating at the University. In pursuing this objective, the University will seek to manage inventions in a way that advances the academic missions of the institution, including research and scholarship. The Patent Policy further provides a framework for the orderly transfer of academic inventions to the private sector in exchange for equitable compensation to the institution as well as to individual inventors. In keeping with the University's academic objectives, the policy directs that portions of the institutional earnings from any patent will support research broadly across campus, research related to the patent, and administrative efforts to secure and manage additional patents.

b. Policy.

(1) Summary of the Patent Policy. Through its designee, the University of Iowa Research Foundation (UIRF), the University will assume ownership of patents on qualifying inventions made by its employees and appointees. In a limited number of situations, the University, through its designee, will assume ownership of patents on qualifying inventions made by students and institutional visitors. Earnings from patents subject to this policy will be distributed according to the provisions of this policy.

(2) Applicability of the Patent Policy. The policy applies to inventions meeting either of the criteria below. For convenience, inventions meeting either of these criteria will be designated as "qualifying inventions."

(a) Inventions made by University employees or postdoctoral appointees in the course of their employment or appointment or in a field or discipline reasonably related to the inventor(s)' field(s) of employment or appointment.

(b) Inventions enabled by significant use of University resources when made by University employees, postdoctoral appointees, students whose inventive contribution did not arise from employment by the University, or institutional visitors not employed by the University. In both paragraph (a) above and

paragraph (b), "employees" includes faculty members, staff members, part-time employees, and student employees.

The following, when customarily provided to researchers in their respective disciplines and units, shall not be considered significant use of University resources: salary, developmental assignment or award, library resources, computers, communications technologies, secretarial services, assigned offices and laboratories, and utilities.

Significant use of University resources may include: use of substantial funds received by the University through a contract or grant, use of funds allocated from internal discretionary pools, assistance of support staff outside of the inventor's department or unit, or assistance of support staff from the inventor's department when such assistance is greater than that normally provided others in the department. Significant use of University resources also may include use of shared research equipment or facilities.

(3) Role of the University of Iowa Research Foundation. The University of Iowa designates the University of Iowa Research Foundation (UIRF) as the owner of its patent rights and manager of its interests in qualifying inventions.

(4) Disclosure required. Any individual who believes that he or she has made, or contributed to the making of, a qualifying invention must disclose the invention in writing to the UIRF on the Invention Disclosure Form provided by the UIRF.

(5) University rights in qualifying inventions. On behalf of the University, the UIRF shall assume ownership of patents to qualifying inventions. In order for the UIRF to assume ownership, inventors subject to this policy shall assign to the UIRF their entire right in the invention and shall provide reasonable assistance to the UIRF in obtaining patent protection and in licensing the patent rights to others. In the case of qualifying inventions arising from federal research support, this assertion of ownership rights follows from federal law. In other contexts, the University's right to require assignment from its employees or appointees will be understood as a condition of employment or appointment. Similarly, the limited right of the University to claim ownership of patents in inventions made by students will be understood as a condition of enrollment, whereas the limited right of the University to claim ownership of patents to inventions made by institutional visitors will be understood as a condition of their access to institutional resources. Institutional visitors must acknowledge in writing their awareness of this policy before making use of institutional resources.

No inventor of a qualifying invention has the authority to assign, license, or otherwise dispose of a qualifying invention except to the University or its designee pursuant to this policy. Faculty and staff who engage in outside consulting or other external activities are responsible for ensuring that any agreements relating to those activities are not in conflict with this policy or with the University's rights or ownership interests in any qualifying inventions.

If the UIRF informs in writing the University inventor(s) that it does not wish to file a patent application in any territory based on a disclosure by the inventor(s), the inventor(s) may request from the UIRF an opportunity to take on the prosecution of the patent application. The inventor(s) may request that the UIRF waive its rights to the invention in the territory(ies) in which the UIRF has elected not to file. The UIRF will not unreasonably deny such a request. However, any waiver of rights will be subject to the interests of any third parties, including, but not limited to, sponsors of the research leading to the invention. In addition, any waiver of the institution's rights in the patent application will expressly allow the University to continue to use the invention for research purposes and will be limited to the scope of the invention as disclosed and as used as a basis for the UIRF's determination not to file an application in the territory(ies). The UIRF waiver of institutional interest in an invention may result in personal ownership of the invention by University inventor(s) who wish to conduct further research on the invention within the institution. Such inventor(s) should be mindful that use of personally owned patents in an institutional setting may create a conflict of interest requiring disclosure and management under the institution's policies pertaining to conflict of interest (https://coi.research.uiowa.edu).

(6) Licensure of inventions assigned to the UIRF. Consistent with the objectives of this policy and subject to the rights of any other parties, the UIRF will seek diligently to license to others the right to use inventions under patents assigned to it.

(7) Distribution of proceeds of licensure. The UIRF shall receive all payments due under a license and shall distribute such earnings under the terms of this policy within 45 days from the end of the quarter in which the earnings were received. Prior to any distribution, the UIRF shall recover any out-of-pocket expenses incurred in applying for the licensed patent(s), maintaining the licensed patents(s), or defending the licensed patent(s). Also prior to any distribution under this policy, the UIRF shall make any payments to others required by agreements, including but not limited to interinstitutional agreements for the management of jointly owned patents. Gross UIRF earnings, less its out-of-pocket expenses, less payments required to others, are designated as "distributable income." Distributable income shall be allocated as follows:

(a) The first $100,000 of distributable, cumulative income earned under a single license will go to the inventor(s).

(b) After the first $100,000 is distributed to the inventor(s), any further distributable income will be allocated as follows unless income in any fiscal year triggers the conditions of V-30.3b(7)(c) below:

(i) 25% of distributable income to inventor(s)

(ii) 25% of distributable income to the UIRF

(iii) 20% of distributable income to an institutional "research enrichment fund" (REF) administered on a discretionary basis by the University of Iowa Vice President for Research

(iv) 15% of distributable income to the department from which the invention arose

(v) 15% of distributable income to the college from which the invention arose

(c) In the event that income from a single license or licensure of a single patent or set of patents exceeds $10 million in any single fiscal year, the University itself shall be granted a share of distributable income in that year, it being understood that the University President shall determine the use of such institutional share. In any year in which an institutional share is awarded, the shares allocated to the UIRF, REF, college, and department will be reduced. The share allocated to inventor(s) shall remain at 25 percent. In the event that distributable income from a single license or from licensure of a single patent or set of patents exceeds additional thresholds over $10 million, the institutional allocation for that year shall grow while the allocations to the UIRF, REF, department, and college will be further reduced. The following summarizes the intention of the policy:

(i) When annual income is greater than $10 million, the next $5 million in annual income shall be distributed as follows:

(A) Inventor(s) 25%

(B) UIRF 20%

(C) REF 16%

(D) Department 12%

(E) College 12%

(F) University 15%

(ii) The next $10 million in annual income shall be distributed as follows:

(A) Inventor(s) 25%

(B) UIRF 17%

(C) REF 13%

(D) Department 10%

(E) College 10%

(F) University 25%

(iii) Any further income in that year shall be distributed as:

(A) Inventor(s) 25%

(B) UIRF 13%

(C) REF 11%

(D) Department 8%

(E) College 8%

(F) University 35%

(d) Additional considerations. The University shall allow the UIRF to maintain an operating reserve equal to the estimated annual operating budget of the UIRF. Every two years the board of the UIRF will propose to the President of the University the appropriate level for the operating reserve. If the President approves the modified level, the size of the reserve may be increased or decreased accordingly. In addition, the University shall allow the UIRF to maintain a litigation reserve of $2 million. At such point as documented national norms for the cost of patent litigation may change, the board of the UIRF may seek permission from the President of the University to alter the size of the litigation reserve.

In any single fiscal year, the UIRF may apply its share of earnings to its operating costs, the establishment of the operating reserve at the then-authorized level, and the establishment of a litigation reserve at the then-authorized level. The UIRF will return to the University any excess according to this formula: 50 percent to the REF and 50 percent to the University. The University may choose to allocate a portion of its share to departments and colleges whose inventions made significant contributions to the earnings in that year.

When more than one University inventor is named on any licensed patent, the inventors will receive equal portions of the share of distributable income allocated to that patent unless there is a modifying written agreement signed by all inventors and approved by the UIRF.

If an inventor is appointed in more than one department, the related departmental shares will be equivalent to the share each contributes to the inventor's salary. If the appointing departments are in different colleges, the related collegiate shares will be pro-rated on the same basis as the departmental shares. From time to time, it may be appropriate to allocate a portion of income otherwise granted to an academic department to an organized research unit. Any share granted to a "center," "institute," or other similar, formally acknowledged organized research unit will be determined by the Vice President for Research after consultation with the organization's director as well as relevant academic officers. In making any such determination, the Vice President for Research should consider the optimal means of advancing research at the institution.

c. Administration of the Patent Policy.

(1) Patent Advisory Group. The University of Iowa Intellectual Property Policy, of which this Patent Policy is a component, shall be administered under the oversight of the Vice President for Research. The Vice President shall be advised on matters pertaining to the Patent Policy by the Patent Advisory Group, a subcommittee of the University of Iowa Intellectual Property Committee. The Intellectual Property Committee, the responsibilities and composition of which are set forth above in V-30.2 of the University's overarching Intellectual Property Policy, shall be appointed by the Vice President for Research, who also shall designate those of its members who will comprise the Copyright Advisory Group. The Vice President for Research will consult with the Executive Vice President and Provost when designating members of the Patent Advisory Group.

The role of the Patent Advisory Group shall be to advise and make recommendations to the Vice President for Research regarding patent matters, including, but not limited to, the following:

(a) Resolution of disputes concerning the application and interpretation of the Patent Policy;

(b) Amendments to the Patent Policy resulting from technological and legislative changes affecting patent; and

(c) Changes to administrative procedures involved in the implementation of the Patent Policy.

In addition, the Patent Advisory Group shall provide a forum to which faculty, staff, and students may refer questions and recommendations about the Patent Policy. Further, the Patent Advisory Committee may advise the UIRF on the disposition of selected invention disclosures.

The day-to-day administration of the Patent Policy will be performed on behalf of the University by the UIRF, under the supervision of the Vice President for Research.

(2) Appeal process. Any University faculty member, staff member, postdoctoral scholar, or student who believes he or she is adversely affected by any action or non-action of the UIRF pursuant to the Patent Policy may appeal such action or non-action in writing to the Vice President for Research, who shall consult with the Patent Advisory Committee in considering the appeal. The resulting decision of the Vice President for Research may be appealed in writing to the President of the University. Where the action or non-action forming the basis for the dispute is that of the Vice President for Research rather than the UIRF, appeal may be made in writing directly to the President of the University.

The foregoing process does not preclude the use of either informal means to resolve the dispute or applicable grievance procedures normally available to the individual based on his or her University status. (See III-28 Conflict Management Resources for University Staff; III-29 Faculty Dispute Procedures; III-30 Student Employee Grievance Procedures; and III-31 Appeals by Employees to Board of Regents.)

d. Examples.

(1) Case P1: Faculty member A makes an invention while working under the terms of a federal research grant. The UIRF assumes ownership of the related patent. (See V-30.3b(2)(a) and V-30.3b(5).)

(2) Case P2: Faculty member B is an acknowledged expert in cancer therapy. Working at her desk at home on Saturday, she designs a chemical compound that may fight non-Hodgkins Lymphoma. The UIRF assumes ownership of the related patent. (See V-30.3b(2)(a) and V-30.3b(5).)

(3) Case P3: Staff member C is employed by the University to fabricate medical devices. Working in his garage on Saturday, C invents a novel device for pruning rose bushes. The UIRF may not assume ownership of the related patent. (See V-30.3b(2)(a) and (b).)

(4) Case P4: D is a researcher spending a year-long leave at the University. D is not an employee of the University but is assigned a laboratory at the University and is provided access to University research equipment. Working in a University laboratory, D invents a device for monitoring airflow in a wind tunnel. The UIRF assumes ownership of the related patent. (See V-30.3b(2)(b) and V-30.3b(5).) Note that D must acknowledge in writing awareness of the University's Patent Policy prior to beginning work.

(5) Case P5: As a result of a class assignment, Student E invents a novel method of manufacturing a fine chemical. The UIRF's review of E's obligatory disclosure determines that E did not make significant use of University resources in making the invention. The UIRF may not assume ownership of the related patent. (See V-30.3b(2)(b).)

(6) Case P6: Working on her dissertation in her adviser's laboratory, Student F invents a novel method for the manufacture of a pharmaceutical agent. Review of F's obligatory disclosure determines that F did make significant use of University resources in making the invention. The UIRF assumes ownership of the related patent. (See V-30.3b(2)(b) and V-30.3b(5).)

(7) Case P7: Faculty member I discloses an invention to the UIRF. In the course of reviewing the disclosed invention it becomes clear that a national professional organization of which I is a member has issued an advisory suggesting that inventions such as I's should not be patented. The matter is referred to the board of the UIRF. The board heeds the advice of the professional organization and directs that a patent application should not be filed. (See V-30.3b(5).)

(8) Case P8: Faculty member J makes an invention in collaboration with a colleague at another university. By application of its own patent policy, the employer of J's collaborator has an ownership right in the resulting patent because of the collaborator's inventive contribution. Similarly, the UIRF has an ownership right in the resulting patent as a result of J's inventive contribution. The UIRF and the employer of J's collaborator enter an "interinstitutional agreement" (IIA) specifying that the joint ownership rights shall be licensed together and that any earnings from such a joint license will be divided equally. In the event the UIRF is designated in the IIA as the manager of the jointly owned patent, it would receive earnings attributable to both parties. After out-of-pocket expenses are recovered, the UIRF would disburse to its partner university its share of earnings, with the retained remainder treated as distributable income under this policy. (See V-30.3b(5).)

30.4 University of Iowa Copyright Policy

a. Introduction.

(1) What is copyright? A copyright is a form of intellectual property protection provided by law for certain original works including written works, software, and selected audio, visual, or performed compositions. More detailed information on copyrights is available at https://www.copyright.gov.

The copyright protects the particular form of expression rather than the subject matter or content of the work. One cannot copyright an idea, only the particular expression of the idea. Unlike patent protection, copyright protection exists from the time an original work is created, and vests immediately when the work is fixed in a "tangible medium" for the first time. Such tangible media might include paper, a computer disk, or granite.

Holding a copyright allows the owner certain exclusive prerogatives including the right to reproduce and distribute the protected material, the right to prepare "derivative works" based on the protected material, and (in the case of various artistic works) the right to display or perform the protected work. The owner of a copyright may convey to others all or some of the rights inherent in the copyright. For example, the owner of a copyright may "assign" all interest in the protected material to another. Alternatively, the owner of a copyright may grant a limited "permission" that allows another to use the protected material. In some cases, the owner of a copyright may grant a "license" to another that specifies the nature of any permitted uses of the copyright material.

(2) Importance of an academic copyright policy. Members of the University community — faculty, staff, and students — create each day large volumes of material that are subject to copyright protection. These various creations include such dissimilar works as scholarly monographs and journal articles, musical compositions, novels, textbooks, lectures, class outlines, poems, administrative software, dances, paintings, experimental software, promotional brochures, administrative correspondence, sculptures, multimedia teaching materials, videotapes, and policy documents. Many of these works have various functions and origins within the academic context. Some works arise directly from the pursuit of scholarly or creative activity and serve to convey the results of these activities; other works do not. Because copyright law and its policy-based application at the University will attribute both ownership rights and the associated rights to control subsequent uses of the protected works, an academic copyright policy must carefully balance a number of important objectives. These objectives must accommodate the various functions and origins of copyright works created at the institution.

(3) Objective of the University of Iowa Copyright Policy. The objective of the University's Copyright Policy is to advance the mission of the University by:

(a) Encouraging and supporting the exercise of academic freedom, innovation, and creativity;

(b) Structuring the rights of ownership and the rights to use copyright materials created by members of the University community in a way that:

(i) Enables the timely dissemination of materials resulting from the scholarship, teaching, research, and creative activities of faculty, staff, and

students;

(ii) Permits the University to retain a copyright in and/or use materials created by members of the University community under certain circumstances;

(iii) Permits the University to meet contractual obligations to outside entities; and

(iv) Accommodates and is consistent with related University policies.

(c) Assuring compliance with applicable laws and regulations in the management of copyright materials.

b. Policy.

(1) Summary of the Copyright Policy. In order to meet the preceding various objectives, this policy allocates the ownership of copyrightable works created by faculty, staff, and students. Consistent with academic tradition and the expressed desire to encourage dissemination of the results of scholarship and research, the University agrees that in most cases, individual creators of copyrightable works of scholarship, research, or pedagogy, as well as creators of original works of art and literature, typically will hold personal copyright ownership of those works. The policy also specifies a limited body of works that will be owned by the University. In some cases, "individual" ownership might be distributed over a group of joint authors or creators. In other cases, an individual or group of individuals might hold joint ownership with the University.

(2) Application of the Copyright Policy.

(a) Individual ownership of copyrights. The University does not claim ownership of copyright in pedagogical, scholarly, artistic, or research works regardless of the mode of expression except when a work is described in section V-30.4b(2)(b) below. Therefore, in those instances where the University does not claim ownership of a copyright, the copyright will be owned by those defined as authors or creators under copyright law unless there is a contrary contractual or statutory obligation. This disclaimer of University ownership interest in copyright materials applies to faculty and staff employees of the University, postdoctoral scholars, and to students when the works are created in the course of their educational pursuits. However, for works created by a student solely in the course of the student's employment by the University, the University may claim ownership if section V-30.4.b(2)(b) applies. The University claims no ownership of copyright in any work created outside the scope of any employment within the University. By way of illustration, see V-30.4d below, Cases C1 through C4.

The University understands that academic authors may be asked to assign to a publisher the personal copyright ownership in works treated in this section of the policy. The Board of Regents, State of Iowa, encourages academic authors to seek to retain such personal ownership in the articles and reports they publish in scholarly journals and equivalent publications. The Regents policy does not encourage academic authors to seek to retain personal ownership in published works when doing so would not be feasible or when efforts to retain personal ownership would impede eventual publication of the work (see http://www.iowaregents.edu/plans-and-policies/board-policy-manual/43-patents-and-copyrights/). The University is prepared to assist faculty members, staff members, students, and postdoctoral appointees wishing to retain personal ownership of works that may be published in scholarly journals and the like.

(b) University ownership of copyrights. The University has ownership, or the right to obtain ownership by assignment, of copyright in:

(i) Any particular and identifiable work created pursuant to either an oral or written agreement between the creator and the University (see V-30.4d, Case C6);

(ii) Works created in the context of carrying out administrative duties for the University (see V-30.4d, Case C7);

(iii) Any work created by a team of faculty, staff, postdoctoral scholars, and/or students of such size or over such an extended period of time that determination of a discrete number of creators would be impossible, impractical, or potentially unfair (see V-30.4d, Case C8);

(iv) Any work created under the terms of a contract or other binding agreement with an entity, other than the University, when such contract or agreement requires University ownership of the work (see V-30.4d, Case C9);

(v) Any work created with a significant use of University resources (see V-30.4d, Cases C10, C11, and C12). For these purposes:

(A) The following, when customarily provided to authors or creators in their respective discipline and unit, shall not be considered significant use of University resources: salary, developmental assignment or award, library resources, computers, communications technologies, secretarial services, assigned offices and laboratories, and utilities.

(B) Significant use of University resources may include: use of substantial funds received by the University through a contract or grant, use of funds allocated for distance learning programs, assistance of support staff outside of the creator's department or unit, or assistance of support staff from the creator's department when such assistance is greater than that normally provided others in the department. Significant use of University resources also may include use of shared research equipment or facilities including use of University media production facilities. The University may determine that it has an ownership interest in a particular copyright work developed with grant or contract funding when creation of the specific work in question was an identified objective of the grant or contract. Given this rationale, specific journal articles, monograph, or textbooks arising from grant or contract funding commonly would not be construed as identified objectives of the grant or contract but would be treated as academic benefits of having worked under grant or contract funding. In the event that creation of a copyrighted work, such as a textbook, is an identified objective of a grant or contract, the institution will make a reasonable accommodation with the author consistent with established academic tradition.

(vi) Any work created by professional and scientific staff members, merit staff members, or student employees whenever such work is the product of their assigned tasks or is a reasonably expected product of their employment. Works made by professional, scientific, and merit staff members generally are subject to institutional ownership because they are either "assigned tasks" or "reasonably expected outcomes" of employment. However, the University acknowledges that a limited number of professional staff members have certain prerogatives to set their own research, scholarly, pedagogical, or creative tasks. Accordingly, the University is prepared to acknowledge personal ownership of works arising from these professional endeavors subject to other conditions of this policy. (See V-30.4d, Cases C5, C13, and C14.)

In any case where the University has the right to ownership under the provisions of this V-30.4b(2)(b), the University may require all persons who are employed by the University and who might otherwise have a potential claim to such work to execute a document as a condition of their employment in which they 1) state they have no rights to the work, or 2) assign to the University those rights they may hold. Any University employee who makes an assignment of a work to the University can request and will be granted a non-exclusive royalty-free license to reproduce, adapt, perform, or display the assigned work for his or her own scholarly, research, or creative purposes.

(c) Disclosure. Personally owned copyright works subject to V-30.4b(2)(a) of this policy need not be disclosed. However, certain works created subject to V-30.4b(2)(b) of this policy should be disclosed. The creator of any work in which the University may have an ownership interest under V-30.4b(2)(b) of the Copyright Policy shall disclose the work promptly in writing to the UIRF using the disclosure form provided by that group. Such disclosure shall be made as soon as possible when any of the following criteria apply: 1) a third party has a contractual basis for asserting a right to use the work (e.g., as a consequence of a sponsored-research agreement); 2) a third party has expressed interest in obtaining rights to use the work; 3) the creator(s) of the work believe that a third party could become interested in obtaining rights to use the work if made aware of an opportunity to do so; 4) the creator(s) of the work wish to assert personal copyright ownership in the work and so wish to request an institutional determination of their personal standing under the terms of this policy.

In those cases when a disclosure is made in order to request a determination of copyright ownership, the UIRF will provide a copy of the disclosure to the Vice President for Research and to the appropriate academic and/or administrative official(s) familiar with the circumstances in which the work in question was created. Such official(s) then in turn will provide the UIRF any available information relevant to the questions of copyright ownership, rights to any proceeds, and other issues deemed relevant to the situation. The UIRF shall then prepare an assessment for the Vice President for Research. The final determination on these questions shall be the responsibility of the Vice President for Research, subject to the right of the creator(s) to appeal any such determination to the President of the University as provided in V-30.4c(2) below. Upon final resolution of the issues raised by the disclosure, the creator(s) and the University, where appropriate, will execute such agreements as are necessary to document clearly the rights and responsibilities of the parties.

(d) Distribution of income. The UIRF shall receive all payments due under a license and shall distribute such earnings under the terms of this policy within 45 days from the end of the quarter in which the earnings were received. Prior to any distribution the UIRF shall recover any out-of-pocket expenses incurred in applying for the licensed copyrights(s), maintaining the licensed copyright(s), or defending the licensed copyright(s). Also prior to any distribution under this policy, the UIRF shall make any payments to others required by agreements, including but not limited to interinstitutional agreements for the management of jointly owned copyrights. Gross UIRF earnings, less its out-of-pocket expenses, less payments required to others, is designated as "distributable income." Distributable income shall be allocated as outlined below. For clarity, please note the following: 1) The distribution protocols outlined do not apply to personally owned copyright but only to copyrights owned by the UIRF on behalf of the institution; 2) in order to qualify for a share of distributable income allocated to "author(s)," an individual must have held a mutually acknowledged ownership interest in the copyright to the subject work and must have assigned any legitimate copyright ownership he or she held to the UIRF; 3) in the event that no authors have assigned personal copyright ownership to the UIRF, no author(s)' share will be allocated. In this case, all distributable income shall be allocated pro rata to the other recipient groups under V-30.4b(2)(d)(ii) below:

(i) The first $100,000 of distributable, cumulative income will go to the author(s).

(ii) After the first $100,000 is distributed to the author(s), any further distributable income will be allocated as follows unless income in any fiscal year triggers the conditions of V-30.4.b(2)(d)(iii) below:

(A) 25% of distributable income to author(s)

(B) 25% of distributable income to UIRF

(C) 20% of distributable income to an institutional "research enrichment fund" (REF) administered on a discretionary basis by the Vice President for Research

(D) 15% of distributable income to the department from which the copyright arose

(E) 15% of distributable income to the college from which the copyright arose

(iii) In the event that income from a single license or licensure of a single copyright or set of copyrights exceeds $10 million in any single fiscal year, the University itself shall be granted a share of distributable income in that year, it being understood that the University President shall determine the use of such institutional share. In any year in which an institutional share is awarded, the shares allocated to the UIRF, REF, college, and department will be reduced. The share allocated to inventor(s) shall remain at 25 percent. In the event that distributable income from a single license or from licensure of a single patent or set of patents exceeds additional thresholds over $10 million, the institutional allocation for that year shall grow while the allocations to the UIRF, REF, department, and college will be further reduced. The following summarizes the intention of the policy:

(A) When annual income is greater than $10 million, the next $5 million in annual income shall be distributed as follows:

(I) Inventor(s) 25%

(II) UIRF 20%

(III) REF 16%

(IV) Department 12%

(V) College 12%

(VI) University 15%

(B) The next $10 million in annual income shall be distributed as follows:

(I) Inventor(s) 25%

(II) UIRF 17%

(III) REF 13%

(IV) Department 10%

(V) College 10%

(VI) University 25%

(C) Any further income in that year shall be distributed as:

(I) Inventor(s) 25%

(II) UIRF 13%

(III) REF 11%

(IV) Department 8%

(V) College 8%

(VI) University 35%

(iv) Additional considerations. The University of Iowa shall allow the UIRF to maintain an operating reserve equal to the estimated annual operating budget of the UIRF. Every two years the board of the UIRF will propose to the President of the University the appropriate level for the operating reserve. If the President approves the modified level, the size of the reserve may be increased or decreased accordingly. In addition, the University shall allow the UIRF to maintain a litigation reserve of $2 million. At such point as documented national norms for the cost of intellectual property litigation may change, the board of the UIRF may seek permission from the President of the University to alter the size of the litigation reserve.

In any single fiscal year, the UIRF may apply its share of earnings to its operating costs, the establishment of the operating reserve at the then authorized level, and the establishment of a litigation reserve at the then authorized level. The UIRF will return to the University any excess according to this formula: 50 percent to the REF and 50 percent to the University. The University may choose to allocate a portion of its share to departments and colleges whose copyrights made significant contributions to the earnings in that year.

(e) Handling copyright works that may be subject to patent protections. Certain works -- particularly software -- are subject to both copyright protection and patent protection. In the event that a work created at the University is subject to both copyright protection and patent protection, a finding under this policy that copyright to the work will be owned by the author or authors will not obviate the University's right to claim ownership in any associated patent or patents. The University's rights in patentable inventions are defined in the University of Iowa Patent Policy (see V-30.3 above).

c. Administration of Copyright Policy.

(1) Copyright Advisory Group. The University of Iowa Intellectual Property Policy, of which this Copyright Policy is a component, shall be administered under the oversight of the Vice President for Research. The Vice President shall be advised on matters pertaining to the Copyright Policy by the Copyright Advisory Group, a subcommittee of the University of Iowa Intellectual Property Committee. The Intellectual Property Committee, the responsibilities and composition of which are set forth above in V-30.2 of the University's overarching Intellectual Property Policy, shall be appointed by the Vice President for Research, who also shall designate those of its members who will comprise the Copyright Advisory Group. The Vice President for Research will consult with the Executive Vice President and Provost when designating members of the Copyright Advisory Group.

The role of the Copyright Advisory Group shall be to advise and make recommendations to the Vice President for Research regarding copyright matters, including, but not limited to, the following:

(a) Resolution of disputes concerning the application and interpretation of the Copyright Policy;

(b) Amendments to the Copyright Policy resulting from technological and legislative changes affecting copyright; and

(c) Changes to administrative procedures involved in the implementation of the Copyright Policy.

In addition, the Copyright Advisory Group shall provide a forum to which faculty, staff, and students may refer questions and recommendations about the Copyright Policy.

The day-to-day administration of the Copyright Policy will be performed on behalf of the University by the UIRF, under the supervision of the Vice President for Research.

(2) Appeal process. Any University faculty member, staff member, postdoctoral scholar, or student who believes he or she is adversely affected by any action or non-action of the UIRF pursuant to the Copyright Policy may appeal such action or non-action in writing to the Vice President for Research, who shall consult with the Copyright Advisory Committee in considering the appeal. The resulting decision of the Vice President for Research may be appealed in writing to the President of the University. Where the action or non-action forming the basis for the dispute is that of the Vice President for Research rather than the UIRF, appeal may be made in writing directly to the President of the University.

The foregoing process does not preclude the use of either informal means to resolve the dispute or applicable grievance procedures normally available to the individual based on his or her University status. (See III-28 Conflict Management Resources for University Staff; III-29 Faculty Dispute Procedures; III-30 Student Employee Grievance Procedures; and III-31 Appeals by Employees to Board of Regents.)

d. Examples. The following examples illustrate how the policy would apply to specific situations and are accompanied by references to the governing policy sections.

(1) Case C1: Faculty member A writes an article using a computer and supplies provided by the University. Copyright in the article belongs to A. Faculty member A may choose to assign ownership of this copyright to a journal as part of a publication agreement without institutional involvement. (See V-30.4b(2)(a).)

(2) Case C2: Faculty member B creates a painting using supplies and facilities of the University customarily provided to other faculty members in the unit. Copyright in the painting belongs to B. (See V-30.4b(2)(a).)

(3) Case C3: Graduate student C writes a dissertation while serving as a University research assistant. The student owns the copyright in the dissertation since it is an academic requirement. (See V-30.4b(2)(a).)

(4) Case C4: Staff member D, a nurse, writes a novel at home. Copyright in the novel is owned by D since the work was not created within the scope of University employment. (See V-30.4b(2)(a).)

(5) Case C5: Staff member E, a senior research associate, writes a journal article based on original research conceived by and conducted by E. E owns the copyright in the journal article since it is a scholarly work and is not a specified outcome of E's employment by the University. (See V-30.4b(2)(a) and V-30.4b(2)(b)(i).)

(6) Case C6: The executive officer of an academic department asks faculty colleague F to write a summary of the department's history for inclusion in the

University's General Catalog. F agrees to do so. Copyright of the summary history belongs to the University since it is a specific work created as a consequence of an agreement between faculty member F and a colleague acting on behalf of the institution. (See V-30.4b(2)(b)(i).)

(7) Case C7: Faculty member G drafts a report for the University as part of an academic review of a department at the University. Copyright of the report belongs to the University since G created it while carrying out an administrative assignment from the University. (See V-30.4b(2)(b)(ii).)

(8) Case C8: Beginning ten years ago, faculty member H worked collaboratively with faculty and staff colleagues to develop successive versions of software designed to control a research apparatus in H's laboratory. The various collaborators did not document their individual contributions to the software and memory of any specific individual contributions to the earlier work has faded. Copyright of the current version of the software belongs to the University since any assessment of individual copyright ownership of the current software would be impractical and could result in an unfair determination. The failure to document individual contributions would not, itself, generate institutional ownership, but in this instance documenting the contributions might have made recovery of forgotten facts easier. (See V-30.4b(2)(b)(iii).)

(9) Case C9: Faculty researcher J is principal investigator on an institutional contract with a private company. The contract is for the creation of software to manage power plants. The terms of the contract provide that the corporate sponsor will have an option to license the software created under the contract. While J may be the owner of the copyright in the software under copyright law, J has the obligation to assign this ownership to the institution so that the University may meet the contractual requirement to offer the corporate sponsor an option to the work. (See V-30.4(b)(2)(b)(iv).)

(10) Case C10: Faculty researcher K is principal investigator on a federal grant that provides significant funding to meet the proposed objective: development of a particular piece of medical imaging software. The terms of the federal award neither compel nor empower the University to take ownership of the copyright in the resultant software. Even so, the University has a policy-based opportunity to require K to assign copyright ownership in the software to the institution since use of the grant funds constitutes "significant use of University resources." In assessing its rights to request assignment of a copyright because of the use of grant funds, the University will consider requesting assignment only of copyrights to works specified as objectives of the grant-funded work. In this example, the University would not seek ownership of the copyright in other related works such as journal articles, monographs, or textbooks that may arise from the grant funding since these works are not commonly construed as identified objectives of the grant. To avoid any dispute, faculty member G should work with the Vice President for Research prior to distribution of any grant funds to lay the groundwork for the future resolution of any potential conflicting copyright claims.

(11) Case C11: Faculty member L is principal investigator of a grant that provides faculty member F with travel funds to visit a library in a foreign country so that F can do research. Later F produces an article based upon this research. Even though faculty member F's efforts were supported by a grant, the copyright belongs to F. Even if preparation of a publication is a specified objective of a grant, the University will not seek assignment of the copyright in that work.

(12) Case C12: Faculty member M begins to create a copyrightable web-based work that will help high school students select a college. After three months, M realizes that the work cannot be completed without substantial use of University staff computer experts. M requests and receives permission to have access to this expertise. Faculty member M would have been entitled to the copyright in work under this policy if there had been no infusion of substantial resources; however, because of the infusion of University resources, the University may have a claim. Faculty member M should consult with the Vice President for Research at the time assistance is requested to lay the groundwork for the future resolution of any potential conflicting copyright claims. (See V-30.4b(2)(b)(v).)

(13) Case C13: N, a professional staff writer at the University, prepares original text for a brochure describing research in a college. Even though N prepared original text, the University owns the copyright in the brochure material since it is a reasonably expected product of N's employment. (See V-30.4b(2)(b)(vi).)

(14) Case C14: Undergraduate student O is an hourly-wage, graphics designer in a University unit. In the course of this work, O prepares a poster for an institutional lecture series. Even though O is a student, the University owns the copyright in the poster design since it was prepared as a consequence of O's employment by the institution and not as part of O's educational pursuits. (See V-30.4b(2)(b)(vi).)

V. Administrative, Financial, and Facilities Policies

Chapter 31 – (Reserved for future use)

V. Administrative, Financial, and Facilities Policies

Chapter 32 – Lease of Real Property

(Amended 9/93; 3/01; 3/09)

32.1 Lease of Space for Use by the University

Any unit of the University having a need for additional on-campus space should attempt to secure it through Space Planning and Utilization (Facilities Management; or, at UIHC, contact Hospital Planning). In the event on-campus space is not available, the Business Manager will, on the basis of a direct request from Space Planning and Utilization, attempt to locate suitable space in the area, negotiate lease terms on behalf of the Board of Regents and prepare and submit the appropriate documents to the Board for approval.

Any unit of the University having a need for space outside Iowa City should contact the Business Manager and the same steps as outlined above will be followed except that Space Planning and Utilization (Facilities Management) need not be involved.

32.2 Lease of University Space to an Outside Entity

Any transaction involving the leasing of University-owned space will be handled by the Business Manager. Terms will be negotiated on behalf of the Board of Regents and the appropriate documents will be prepared and submitted to the Board for approval.

32.3 Policies and Guidelines

Although the leasing of real property does not easily lend itself to formal bidding procedures, it is a purchase of service and is therefore subject to all applicable portions of the University purchasing procedures found in V-11.

(See also IC 262.9(15).)

32.4 Environmental Review Prior to Acquisition of Real Estate

(Amended 3/01; 3/09)

a. General. It is the policy of The University of Iowa to make all appropriate inquiries regarding the environmental condition of real estate assets prior to acquisition to minimize the potential exposure to liability and claims for damages under applicable laws governing the environment and hazardous substances or hazardous conditions. No real property shall be acquired and added to the real property assets of the University until an environmental site assessment has been completed. No commitment to accept a donation or bequest of real property shall be made until an environmental site assessment has been completed.

b. Scope. Acquisition of real property includes any manner by which the University obtains a property interest in real estate, including purchase, lease, or gift. Federal and state statutes impose certain liabilities on owners and operators of real property when hazardous substances have been deposited, stored, or released on the property. "Hazardous substance" is broadly defined to include a wide array of chemicals and compounds. To reduce the risk of liability, the University will complete an environmental site assessment (ESA) prior to the acquisition of any parcel of real property. If potential hazards are identified, the University may then weigh the risks to determine whether the acquisition is beneficial and appropriate. If the University makes all appropriate inquiry prior to acquisition and no risks are identified by the ESA, the University may, under certain circumstances, be entitled to assert a defense to liability if hazardous substances are later discovered that were unknown at the time of acquisition.

c. Environmental Review Process.

(1) All environmental site assessments shall be conducted in accordance with and shall meet the requirements of the U.S. Environmental Protection Agency "Standards and Practices for All Appropriate Inquiries" (40 CFR 312). All environmental site assessments shall be performed according to standards established by the American Society for Testing and Materials (ASTM).

(2) At a minimum, an initial ESA using the most recent version of the American Society for Testing and Materials (ASTM) Standard E-1528 "Standard Practice for Environmental Site Assessments: Transaction Screen Process" must be conducted on every potential real estate asset prior to acquisition. The scope of any further assessment will be determined by the findings of the transaction screen and by the property's location and history.

(3) The review process for acquisition of real estate will be the responsibility of the University Environmental Compliance Department, the University Business Office, and the General Counsel's Office.

(a) All contracts for ESAs and for real property acquisition shall be in a form acceptable to the General Counsel's Office.

(b) The General Counsel's Office, the University Business Office, and the Environmental Compliance Department shall review the ESA report.

(c) Investigation of other environmental issues or conditions beyond the scope of the ASTM guidelines may be required and will be determined and performed on a property-by-property basis. These may include the following: asbestos-containing materials, radon, lead-based paint, lead in drinking water, and wetlands.

(4) If the initial transaction screen indicates areas of concern, the property may be rejected, accepted with the identified risks, or subject to further investigation as a Phase I or II ESA.

(5) If a Phase I ESA is requested, it shall be conducted by an "environmental professional," as defined in 40 CFR 312, "Standards and Practices for All Appropriate Inquiries," unless the University has a qualified employee to do the review. A Phase I review should be conducted following the most current version of ASTM Standard E-1527, "Standard Practice for Environmental Site Assessments: Phase I Environmental Site Assessment Process."

(6) If a Phase II ESA is requested, it must be conducted by an outside consultant, and shall include an examination and sampling of the property and testing and analysis of all samples collected, and shall be conducted in accordance with the most current version of ASTM Standard E 1903, "Standard Guide for Environmental Site Assessments: Phase II Envrionmental Site Assessment Process."

(7) Recommended Minimum Environmental Review by Property Type.

(a) Residential property of four or fewer dwelling units: At a minimum, conduct a site visit employing the ASTM E-1528 transaction screen site visit segment.

(b) Vacant or unoccupied land: Complete evaluation under the ASTM E-1528 "Transaction Screen Process."

(c) Industrial and Commercial Sites: Engage an environmental professional to conduct a Phase I ESA according to the most current version of ASTM Phase I Standard E-1527 "Phase I Environmental Site Assessment Process," including a review of copies of all permits, licensed, notices of violation, orders, or consent agreements issued to owners or operators (tenants) of the site.

V. Administrative, Financial, and Facilities Policies

Chapter 33 – (Reserved for future use)

V. Administrative, Financial, and Facilities Policies

Chapter 34 – Policy and Guidelines for Capital Improvement Projects

(President 11/15/66; amended 9/93; 11/07; 2/08; 5/12)

34.1 Definition

A capital improvement project provides for the construction, repair, or improvement of buildings or grounds. This includes new construction, additions, renovations, renewals, repairs, site development, utility services, extensions and plant improvements, parking facilities, roads, fixed equipment installation and similar projects. Capitalization begins with a minimum project budget of $100,000 ($50,000 for UIHC).

34.2 Approval Process

Capital improvements are developed in accordance with policies and procedures set by the Board of Regents, State of Iowa, and are accomplished by University administration in consultation with existing committees and facility users. The approval process for capital improvement projects is dependent on the project's budgeted costs

New Building Construction

< $250,000	Approval is delegated to University administration
>= $250,000 and < $1 million	Approval by the executive director of the board office
>= $1 million	Approval by Board of Regents

Existing Building Renovation

< $250,000	Approval is delegated to University administration
>= $250,000 and < $2 million	Approval by the executive director of the board office
>= $2 million	Approval by Board of Regents

34.3 Roles in Planning and Oversight

The responsibility for accomplishing capital improvements for projects has been delegated by the Board of Regents to the University administration.

a. University Business Manager. The University has assigned responsibility for coordinating the preparation of the University Business Docket including the Register of Capital Improvement Business Transactions to the University Business Manager. The University has further assigned the University Business Manager responsibility for approving all contractual as well as responsibility for recommending and coordinating documents reserved for approval by the Executive Director of the Board of Regents.

b. Facilities Management. The University has assigned to Facilities Management the responsibility for managing the project from concept to completion including specific planning for project development. The planning responsibility is either shared or further delegated in certain units or services of specialization including University of Iowa Hospitals and Clinics, Utility Systems, Parking System, and institutional roads. The University Campus Planning Committee reviews, considers and advises the University administration on capital improvement activity that has an impact on the campus.

c. Capital Projects Review Committee. The Capital Projects Review Committee has been established as an advisory committee to the University President or the president's designees for the review and evaluation of non-UIHC capital projects valued at more than $1 million. The Committee will make recommendations to the President or designees regarding the approval, modification or disapproval of proposed capital projects along with priority and timing of projects.

d. Controller's Office. The Controller's Office is responsible for coordinating the determination of funding sources and monitoring applicable bond reporting compliance.

34.4 Steps in Planning and Constructing Improvement Projects

Capital projects require initiation through Facilities Management or University of Iowa Hospitals and Clinics Capital Management. For non-hospital projects, an on-line requisition system is required to be utilized at https://www.facilities.uiowa.edu/pdc/project-info.asp. After initiation, the process is managed by Facilities Management or UIHC Capital Management to assure conformance to Board of Regents and state requirements and to provide design and construction quality assurance.

The following is a description of the major steps in planning and constructing improvement projects as required by the Board of Regents policy (http://www.iowaregents.edu/plans-and-policies/board-policy-manual/23-property-and-facilities).

a. Project scope and funding source. For non-UIHC projects exceeding $1 million, establish the project scope and description and identify the funding source by completing the Capital Project Proposal Application.

b. Retention of professional design assistance. Facilities Management administers the process for retaining architects, engineers and other design professionals as per the Board of Regent Policy. All projects exceeding $1 million require the implementation of a specific selection process prescribed by the Board of Regents. The selection of architects for recommendation to the President and the Regents is the responsibility of Facilities Management and UIHC, where applicable.

c. Preliminary plans and project budget. Preliminary plans are prepared by the consultant or University's Project Manager in consultation with the users of the facility and appropriate administrative personnel. The plans are reviewed and approved by appropriate administrative personnel. Alterations to the campus under the review authority of the Campus Planning Committee are referred to that committee for advice and comment. The site selection, preliminary plans, project budget and source of funds, and other details as appropriate are submitted to the Regents for approval or revision.

d. Construction documents. Upon receipt of administrative and Regent approval of the preliminary plans and budget, the University's Project Manager is authorized to proceed with the further development of the plans and specifications. A second review of plans may be required by the Regents at the design development stage of planning. Otherwise, planning is authorized to proceed through the preparation of final plans and specifications for the project. The final plans and specifications become part of the contract between the project contractor and University and describe what the contractor is to build for the University. The review and approval of other agencies, such as the state building code commissioner, are also obtained as required.

e. Advertisement for bids. The project is advertised by the University and bids are received from contractors according to Regent policy and state law. Bids are opened and the University or the Board of Regents awards the construction contract.

f. Construction. Facilities Management of the University, or UIHC Capital Management, or their representative, oversees the construction of the project by the contractor(s). At the completion of construction, the project is accepted by the University, reported to the Board of Regents and the user occupies the facility.

34.5 Total-Cost-of-Ownership Decision Framework

The University of Iowa employs a broad project decision-making framework based on the total-cost-of-ownership. The total-cost-of-ownership is a composite of financial obligations consisting of the costs for the initial capital design and construction; operations and maintenance; utilities and energy; renewal; and decommissioning or demolition. To take future costs into consideration and aid decision making during the design and construction phases, the University has established the following design standards, policies, and procedures.

a. Commissioning. All new facilities and major renovations shall be commissioned. Commissioning is a process that assures that building systems are designed, installed, functionally tested, and capable of being maintained and operated based on the defined expectations. Project budgets shall support the cost for commissioning.

b. Utilities capacity and infrastructure growth funding. All capital project budgets requiring approval of the Board of Regents, State of Iowa, shall include contributions to a utilities infrastructure growth fund for central plants, where connection to central systems is available. Central plants provide the most cost-efficient production of utilities due to economies of scale. The offset amount apportioned to a capital project will be no more than the estimated cost to install gas-fired boilers and electric-powered chillers in the building, sized to meet building capacity, including 50 percent redundancies, which is the minimum redundancy for a stand-alone system. This offset contribution is to cover the cost of increased capacity in the central plants necessary to meet the demand created by the new and renovated facilities on campus.

c. Life cycle cost investments. All new construction and major renovations of facilities that are heated or cooled by a mechanical or electrical system shall implement the recommendations of a life cycle cost analysis. Project budgets for new construction and major renovations must support meeting the best overall life cycle investment. Minor renovation projects must invest in conservation improvements up to a seven-year payback level. The provisions of this section may be appealed through the Capital Projects Review Committee.

d. Energy rebates. For General Education Fund (GEF)-supported facilities, the energy rebates offered on individual projects will be placed in a University energy conservation account and will be reinvested to further other campus conservation efforts that will help offset the demand created by the new project. For non-GEF facilities, rebates shall be managed by the auxiliary or by University of Iowa Hospitals and Clinics, and must be used to reinvest in energy conservation opportunities.

e. Emergency power. All capital projects requiring emergency power shall include the design and installation of an emergency generator, ancillary support equipment, and connections in the scope and budget of the project. Where effective emergency power is available from a central plant, emergency power shall be furnished by the central plant and the project shall include budgeted, capital contributions to the utility enterprise for that emergency power service. The offset amount apportioned to a capital project will be no more than the estimated cost to install an emergency power generator at the building site.

f. LEED certification. The goal for all new major building and major capital renovations initiated after January 1, 2009, is to meet or exceed the U.S. Green Building Council's guidelines for silver level LEED certification. A major building is defined here as a new building or addition over 20,000 gross square feet, and a major capital renovation is defined as construction that will cost more than 50 percent of the facility's replacement value. LEED Silver refers to a certificate program by US Green Building Council's Leadership in Energy and Environmental Design (LEED) Green Building Rating System™. When financially prudent, sustainable best practices in building design and site planning should be incorporated into non-major project construction and renovations.

34.6 Capitalization and Reconciliation

Building, infrastructure and land improvement projects with estimated budgeted cost of $100,000 or greater ($50,000 for UIHC) are considered to be capital projects for accounting and asset valuation purposes. Projects with budgeted cost of less than $100,000 ($50,000 for UIHC) are expensed as the cost is incurred. Projects are ready to be capitalized when they are deemed to be substantially complete by Facilities Management. Substantial completion indicates that the building is ready for occupancy. The Capital Assets Management department will capitalize construction projects three times per year based on information provided by the Business Office Capital Project Accountant, Facilities Management and UIHC.

a. Buildings. The cost of buildings must include all components and additions that comprise the basic structure or function to service the building. All direct expenses necessary to put a building or structure in its intended state of operations will be capitalized, including:

(1) purchase or construction cost (materials, labor, direct overhead)

(2) professional fees (architects, attorneys, appraisers, etc.)

(3) building permits

(4) interest on indebtedness

b. Renovations and improvements. Building renovations must significantly increase the future economic benefits of the area being renovated and meet the $100,000 threshold ($50,000 for UIHC) in order to be capitalized. Future economic benefits are increased by extending the useful life, improving productivity, or improving the quality of service. Expenditures not meeting these criteria should be expensed. Costs associated with repetitive or ongoing building repairs, maintenance and refurbishment, such as painting, wallpapering, wall repair, floor coverings, or other preventative maintenance should be expensed. The valuation method, or the costs to include in the capitalization of renovations and improvements are the same as for buildings in paragraph a above.

c. Fixed equipment. Building components such as lighting, electrical systems, plumbing, air conditioning, and elevators shall be considered fixed equipment rather than movable equipment. The cost of this fixed equipment will be capitalized with the cost of the building project and will include acquisition, transportation and installation charges. Fixed equipment may be componentized and depreciated separately from the original building project. Moveable equipment, artwork or any other type of asset that is not a building component should not be capitalized as a part of the building asset.

d. Leasehold improvements. Improvements made to buildings and other structures on property that is leased to the University are capitalized if they meet standard University

capitalization policies. The valuation method, or the costs to include in the capitalization of leasehold improvements are the same as for improvements to University-owned property — see paragraph b above.

e. Purchased land. Land is non-expendable, real property. The cost to include in the capitalization of land includes all of the costs incurred in preparing the land for its intended use. These include but are not limited to purchase price, appraisals fee, assessments fee, broker's commissions, legal and recording fees, title insurance and site preparation costs (including draining, clearing, and grading).

f. Reconciliation of construction-in-progress. Construction-in-Progress (CIP) is the cost of capital projects that are under construction at a balance sheet date. CIP represents a temporary capitalization of labor, materials and equipment of a construction project. Recurring review and reconciliation of CIP balances is required by the Balance Sheet Reconciliation policy and must be performed by staff with knowledge of the construction capital projects. This review will be performed by the Business Office Capital Accountant. Reconciliations will be maintained and available for audit purposes. Balances will remain in CIP until a constructed asset is capitalized at the time it is deemed to be substantially complete by Facilities Management (ready to be utilized or occupied).

g. Reconciliation of capital assets. Projects that have reached substantial completion will be capitalized from CIP to full capital assets by the Capital Assets Management (CAM) department. CAM will lead the effort to componentize building components as appropriate. On a quarterly basis, CAM will reconcile the capital asset balances in the Asset Management system with balances in the General Ledger system. Reconciliations will be maintained and available for audit purposes.

V. Administrative, Financial, and Facilities Policies

Chapter 35 – Conditions of Use of University Facilities

(President 7/1/78; amended 9/93; 10/94; 1/02; 12/03; 10/04; 6/07; 7/07; 10/07; 7/1/08; 12/09; 2/10; 8/10; 12/13; 8/24/15)

35.1 Definitions

a. University facilities. Unless the context otherwise requires, the term "University facilities" as used herein, includes all campus buildings and grounds except the following: Finkbine Golf Course, Kinnick Stadium, Old Capitol, Museum of Art, Iowa House, Hancher Auditorium, University tennis courts, office space in University buildings, and any other space which is committed to internal University use at all times or in which public use would be inconsistent with its primary function.

b. Primary uses. Primary uses include established student, faculty, and staff activities which are part of the course of regular University business, including classroom activities, faculty and staff work and research activities, University committee meetings, regular meetings of University-wide student government, and other activities necessary to and a regular part of the conduct of University business which occurs in space assigned use during normal operating hours of the facility.

c. Non-primary uses. Non-primary uses include all uses of University facilities which are neither primary uses nor casual uses.

d. Casual uses. Casual use means any spontaneous use of University facilities for which there is no prior promotion, solicitation, or purposeful attempt to attract the public.

35.2 General Policy on Use of University Facilities

University facilities are dedicated to primary uses within the institution. Such primary uses, however, do not require that University facilities be exclusively reserved for those uses, and it is therefore University policy to make University facilities available for other uses which are consistent with the University's mission as a public institution of higher education.

a. In the absence of a competing primary use, University facilities shall be available to groups within or outside the University for purposes which are consistent with the academic mission of The University of Iowa. In applying this standard to any request for use of University facilities, the following factors shall be considered indicative of the consistency of a proposed use with the academic mission of the University:

(1) If the proposed use is appropriately sponsored by an academic department of the University;

(2) If the proposed use is appropriately sponsored by a student, staff, or faculty organization which is officially recognized by the University;

(3) If the proposed use contributes directly to an established academic program of the University;

(4) If the proposed use is part of or contributes to the outreach efforts of the University;

(5) If the proposed use is non-profit making in the commercial sense;

(6) If the proposed use does not involve efforts at selling commercial products or services to students or staff;

(7) If the proposed use is open to students, faculty or staff of the University;

(8) If the proposed use is academic or educational in nature. This listing of factors is not intended to be exhaustive, nor is the presence or absence of any one or more factors determinative of the appropriateness of a planned use.

b. The following requirements must be satisfied in all cases:

(1) The proposed use must not conflict with scheduled or anticipated primary uses, nor interfere with ongoing primary uses.

(2) Adequate physical space must be available for the proposed use.

(3) Adequate support services must be available, including restroom facilities, security, overnight accommodations, food service, parking, janitorial services, maid services, and day care services.

(4) The proposed use must not present a physical danger to persons or the possibility of damage to the University facilities or to equipment.

(5) Evidence must be presented by the user of ability to pay the rates and charges for use of University facilities and services and, where appropriate, advance payment of a portion of the anticipated rate and charge and/or refundable damage deposits may be required.

(6) Assurance must be given in writing that required support services (such as overnight accommodations, day care, and the like) which the University deems necessary but is not providing, will be provided by the user.

35.3 Application and Approval

(Amended 10/04; 6/07)

Application for proposed non-primary uses of University facilities should be made to the following offices:

a. Event Services — for use of the Iowa Memorial Union and Danforth Chapel.

b. Vice President for Student Life — for use of all outside University facilities.

c. Facilities Management — for use of all other University facilities.

d. Office of the Executive Vice President and Provost — for general assignment classrooms.

Decisions regarding scheduling, space allocation, rates, facilities use, application deadlines, and all other matters relating to proposed uses of University facilities by non-primary users shall be made by the office to which application for use is made. Application for a proposed non-primary use that involves multiple University facilities may be made to the offices specified above.

In approving a proposed non-primary use, the office to which application is made may specify such conditions of the proposed use as is deemed advisable. An application may be denied for failure of the applicant to provide full and accurate information as requested.

35.4 Use of Athletic and Multi-Use Facilities

(President 4/73; amended 12/03)

All athletic and multi-use facilities (Duane Banks Field [baseball], Ashton Cross Country Course, Grant Field [field hockey], Pearl Field [softball], Kenyon Football Practice Facility, Kretzmeyer Track, Carver-Hawkeye Arena, Finkbine Golf Course, Recreation Building, Indoor Practice Facility, Field House, and other outdoor and indoor practice facilities and playing fields) shall be scheduled as follows:

a. Athletic events. All intercollegiate competitive events will be scheduled with the approval of the Director of Athletics and then submitted to the Presidential Committee on Athletics (PCA) for approval. Department of Athletics usage of multi-use facilities shall be scheduled by the Director of Athletics in consultation with the Director of Recreational Services .

b. Recreation and academic events. All recreational and academic events will be scheduled with the approval of the Director of Recreational Services.

c. Other activities and events not covered in paragraph a or b. Requests for the use of athletics or recreational facilities are to be submitted to either the Director of Athletics Facilities or the Director of Recreational Services, depending on the facility being requested. The request will then be reviewed according to University policies. Upon approval and if deemed necessary, a contract will be produced and sent to the Business Office for University consideration and approval.

35.5 Prohibitions in Use of Facilities

(Amended 9/92; 10/94; 9/98; 9/99; 2/00; 7/07; 10/07; 7/1/08; 12/09; 2/10; 8/10; 12/13; 8/24/15)

a. Tobacco-free campus policy. The University of Iowa is a tobacco-free facility. Use of tobacco, as defined below, is prohibited in any building, vehicle, or outdoor area owned, leased, or controlled by the University.

(1) For the purpose of this policy, tobacco products are defined as including but not limited to cigarettes, cigars, pipes, water pipes (hookahs), bidis, kreteks, smokeless tobacco, chewing tobacco, snus, snuff, electronic cigarettes, and any non-FDA-approved nicotine delivery device.

(2) Use of tobacco products is prohibited in all buildings and vehicles owned or leased by The University of Iowa, regardless of location. This includes Kinnick Stadium and the University of Iowa Hospitals and Clinics.

(3) Use of tobacco products is also prohibited on all University grounds and in any outdoor area controlled by the University. This includes all University parking lots and parking ramps, athletic fields, tennis courts, golf courses, and recreational areas. Use of tobacco products is prohibited inside any vehicle located on such University grounds.

(4) The University owns and maintains a limited number of streets within its campus borders. Use of tobacco products is prohibited on such streets and the adjacent sidewalks. See University of Iowa maps outlining the campus grounds where use of tobacco products is prohibited.

(5) When any person enters the grounds of the University, any tobacco products shall be extinguished and disposed of in an appropriate receptacle at the perimeter of the grounds of the University.

(6) This policy does not apply to buildings and outdoor areas of the University of Iowa Research Park that are owned by or leased to private entities, except if those buildings or areas are used for University programs or University employees.

(7) This policy does not apply to the use of e-cigarettes or other forms of smokeless tobacco by the University of Iowa Division of Performing Arts in on-stage artistic performances.

b. (See also https://hr.uiowa.edu/policies/smoking.)

c. Food and beverages. Food and beverages shall be consumed in academic buildings only in areas designated by the responsible administrative (e.g., collegiate, departmental) unit.

d. Obscene materials, as defined by *Iowa Code* 728, may be disseminated or exhibited in campus facilities only if

(1) appropriate steps are taken to prevent their dissemination or exhibition to minors located inside or outside the facility; or

(2) the materials are being used for such educational or artistic purposes as would be permitted under *Iowa Code* 728 and do not constitute child pornography under federal or state law.

e. Animals in buildings. Animals are not permitted in any University building or structure, and if found are subject to impoundment. Exceptions from this general prohibition include service animals, experimental subjects, approved animals in University student housing, or certified therapy animals at UI Health Care or in other events or programs as approved by the appropriate vice president.

f. Grilling. Anyone grilling food on campus must follow the guidelines outlined on the Public Safety web page (https://police.uiowa.edu/fire-safety/grilling-policy) or the Risk Management web page (https://uiowa.edu/riskmanagement/outdoor-gascharcoal-grilling-campus).

(See also IAC [681]12.6 and [681]12.7.)

35.6 Old Capitol Use Policy

The main levels of Iowa's Old Capitol have been restored as a museum and historic landmark, accurately depicting the time in which it served successively as a territorial and state capitol. Because of its statewide and national significance, and because the furnishings in the building are made up largely of antiques and other historic artifacts, Old Capitol is not a general-purpose meeting facility. Its uses are restricted to: tours by the general public and groups; meetings by groups with state, academic, cultural or historical purposes, and by units of state government; and University operations housed on the building's lower level.

Appropriate meetings in Old Capitol are held only in the Senate Chamber, and are restricted to the hours the building is open. Examples of meetings which would be considered appropriate to the Old Capitol are constitutional conventions, Supreme Court hearings, the defense of doctoral dissertations, faculty meetings, and workshops in historical preservation and restoration.

V. Administrative, Financial, and Facilities Policies

Chapter 36 – Control, Use, and Assignment of Physical Facilities

(President 2/59; amended 5/91; amended 9/93; 2/11)

36.1 General

Space assignment is the responsibility of the central administration. Space is assigned to colleges, departments, and support units of the University to enable them to carry out their assigned responsibilities and to house the personnel associated with those activities, consistent with strategic planning initiatives of the University.

36.2 Reassignment of Space

Reductions in personnel, teaching, research, or service loads may result in the reassignment of space assigned to the unit. The following conditions will result in a space assignment analysis, the result of which may be the reversion of space to the central administration for reassignment:

a. the absence of authorization to replace vacated personnel lines, to include faculty, graduate assistants, and staff;

b. the relocation of a unit to different space;

c. the loss of sponsored research support that results in a reduction of personnel supported by the research grant (the space which would continue to be assigned will be determined using an appropriate level of facility support per faculty member by discipline);

d. the loss of students enrolled in courses for which space is assigned to the unit, such as teaching laboratories or special classrooms; and

e. the phasing out of educational, research, or support programs, or adjustments made as the result of strategic planning.

Space which reverts for reassignment will be used to meet the emerging needs of the institution, including those of the unit initially losing the space, consistent with University strategic planning priorities. Under some circumstances, space which would normally revert may remain under the temporary use of the occupying unit pending subsequent reassignment to other units.

36.3 Approval of Assignments of Space

(Amended 2/11)

Space assignments will be approved by the central administration, specifically the University Space Committee, a subcommittee of the Capital Projects Review Committee (CPRC), after consultation with appropriate deans and directors.

V. Administrative, Financial, and Facilities Policies

Chapter 37 – Use of the Pentacrest

(President 1/12/72; amended 9/93; 1/02; 4/09)

37.1 General

By resolution adopted July 10, 1970, the Board of Regents, State of Iowa, adopted a policy which states in part: the freedom to express dissent by lawful means, including peaceable assembly and petitions to authorities, is no less important on a university campus than elsewhere in our society; the exercise of this freedom to dissent must not interfere with rights of others.

The Pentacrest has frequently been used to exercise these freedoms and this use has been encouraged and facilitated by the University. Because the adjacent buildings are dedicated to educational and administrative pursuits, the use of the Pentacrest as a public forum for speech, assembly, and petition must be harmonized with these primary University functions. This policy establishes the rules for management of the Pentacrest area to insure that constitutional rights are preserved without interfering unduly with the University's educational functions.

37.2 Definition

The Pentacrest is that area of the campus bounded by Clinton Street on the east, Washington Street on the south, Madison Street on the west and Jefferson Street on the north, and on which are located the Old Capitol, Macbride Hall, Schaeffer Hall, MacLean Hall, Jessup Hall. The Pentacrest forms the core of the central campus, and the buildings thereon contain classrooms, laboratories, and faculty and administrative offices. The Old Capitol is a state historical monument.

37.3 Casual Use

Individual students and other persons may use the Pentacrest for any casual and reasonable use at all reasonable times. Casual users shall not unduly interfere with the use of the Pentacrest by authorized groups or unreasonably disturb or disrupt persons in adjacent buildings, and such users are expected not to damage or destroy any property, including the grass or shrubbery, or to cause any litter or other nuisance. Casual use means any spontaneous and unorganized use for which there is no prior promotion, solicitation, or purposeful attempt to attract or solicit the public in the course of such use. Casual users are not permitted to use any electronic sound amplification system or equipment.

37.4 Use by Eligible Groups

Subject to these rules, all applicable University regulations, and to the requirements of the regular University program, recognized student organizations and other groups which are eligible to use University facilities, as provided by in V-35, may use the Pentacrest for public meetings, rallies, teach-ins, convocations, and other authorized events and activities. Requests for such use shall be submitted as hereafter provided.

37.5 Applications

Eligible groups shall request use of the Pentacrest by submitting a completed application form, properly signed by an authorized representative of the group, to the Vice President for Student Life. Applications should be submitted a week in advance of intended use to provide time for all necessary arrangements. However, reasonable effort will be made to accommodate requests made at least one working day in advance of the scheduled event. There is no charge for the use of the Pentacrest unless special expenses or damages are incurred which shall be charged to the group at actual cost.

The Vice President for Student Life (herein after referred to as Vice President) shall grant timely and reasonable applications in the order received and shall deny any application which does not conform with University regulations, these rules or civil law. In determining the reasonableness of an application, the Vice President shall consider whether the intended use may have a negative impact on the regular University program and other scheduled events or activities in the areas. An applicant may be asked for data regarding the anticipated number of participants and spectators, the adequacy of arrangements for crowd control, parking, sanitary facilities, and provision for protection of the health, safety, and security of persons and property. The effect on normal pedestrian and vehicular traffic, the availability of alternative facilities, and any other relevant factors which might adversely affect the legitimate interests of the University may be considered by the Vice President. The Vice President will confer with Facilities Management, the Department of Public Safety, and other relevant departments as deemed necessary in making decisions concerning requests.

The Vice President may impose reasonable conditions on the use of the facilities, such as limiting the time or duration of use when necessary for orderly use. The Vice President may require an organization to make adequate security arrangements for traffic or crowd control. A deposit may be required in such reasonable amount as may be determined sufficient by the Vice President from non-University organizations to insure payment of any expenses incurred. All federal and state laws and city ordinances must be obeyed, and it is the responsibility of the group to obtain all applicable permits or licenses. The Vice President shall state the reason for the denial of any application, and in the case of a student organization, notify The University of Iowa Student Government. A decision denying an application may be appealed to the Senior Vice President for Finance and Operations. The Vice President may not deny an application for any reason that would deny students their rights of freedom of speech and assembly.

37.6 Activities Approval

Where approval of the event or activity by a representative of the Office of the Vice President for Student Life is required by the *Code of Student Life* (see "Regulation of Student Organizations" in *Policies and Regulations Affecting Students)*, written approval must be obtained prior to submitting application for use of the Pentacrest. Such applications will not be considered unless accompanied by the appropriate approval form signed by a representative of the Office of the Vice President for Student Life.

37.7 Hours of Use

Casual use of the Pentacrest is normally permitted at any time, except as specifically prohibited or restricted. Scheduled use is normally restricted to the hours of 8 a.m. to 11 p.m. daily (midnight on Friday and Saturday nights). Sound amplification, music, and other uses which might disturb persons in adjacent buildings is prohibited during normal working and class hours except between 12:20 p.m. and 1:30 p.m. and after 4:20 p.m. daily. The Vice President for Student Life may temporarily restrict use of the Pentacrest to accommodate unforeseen requirements of the regular University program not anticipated by this policy.

37.8 Camping

Camping on the Pentacrest is prohibited.

37.9 Foreign Structures

No tent, hut, table, platform, vehicle, booth, kiosk, or similar object or structure shall be placed or erected on the Pentacrest except as expressly approved by the Vice President for Student Life in connection with an authorized group event or activity.

37.10 Signs and Banners

No sign, banner, slogan, symbol, display, or other similar device shall be painted, affixed, erected, or installed on the Pentacrest except as expressly approved by the Vice President for Student Life in unusual and compelling circumstances. This prohibition does not apply to the distribution of leaflets to individuals nor to the carrying of picket signs or placards by individuals.

37.11 Classes

This policy does not affect the practice of conducting outdoor classes on the Pentacrest. If the class is to be conducted in the area immediately outside Old Capitol, the person in charge should make a reservation with the Vice President for Student Life.

37.12 Policy for Old Capitol Flagstaff

(4/09)

a. Requests for flags to be flown over Old Capitol. Three different flags may be flown from the Old Capitol flagstaff at The University of Iowa. These are the flag of the United States of America; the flag of the State of Iowa; and, on home football game days, the University of Iowa "Hawkeye" flag. The only exception to these limitations would be special flags flown as directed by proclamation from the President of the United States or the Governor of the State of Iowa.

b. Requests to lower the American flag and the State of Iowa flag to half-staff. The flag of the United States of America and the flag of the State of Iowa are to be lowered to half-staff exclusively on orders from the office of the President of the United States or the office of the Governor of the State of Iowa.

V. Administrative, Financial, and Facilities Policies

Chapter 38 – Use of Campus Outdoor Areas Other Than the Pentacrest

(President 8/1/73; amended 9/93; 10/94; 1/02)

38.1 General

This policy applies to all outdoor areas of the campus in Iowa City and Coralville except golf courses and the Pentacrest as defined in V-37. Inquiry concerning use of the Macbride Recreation Area and Lakeside Laboratory should be addressed to the respective directors.

38.2 Use by Eligible Groups

Requests for use of outdoor areas for a purpose beyond the scope of regularly assigned use are submitted as hereafter provided. Only groups eligible to use University facilities as provided in V-35 may apply:

a. Requests. Eligible groups can request use of a campus area by submitting a written application specifying the exact area desired, properly signed by an authorized representative of the group, to the Vice President for Student Life. Submit applications a week in advance of intended use to provide time for all necessary arrangements. Reasonable effort is made to accommodate requests made at least one working day in advance of the scheduled event. There is no charge for the use of the area unless special expenses or damages are incurred which are charged to the group at actual cost.

b. The Vice President for Student Life (herein after referred to as Vice President) grants timely and reasonable applications in the order received and denies any application which does not conform with University regulations, these rules, or civil law. In determining the reasonableness of an application, the Vice President considers whether the intended use may have a negative impact on the regular University program and other scheduled events or activities in the areas.

c. An applicant may be asked for data regarding the anticipated number of participants and spectators, the adequacy of arrangements for crowd control, parking, sanitary facilities, and provision for protection of the health, safety, and security of persons and property. The effect on normal pedestrian and vehicular traffic, educational operations, the availability of alternative facilities, and any other relevant factors which might adversely affect the legitimate interests of the University may be considered by the Vice President. The Vice President will consult with Facilities Management, the Department of Public Safety, and other departments as deemed necessary in making decisions concerning requests.

d. The Vice President may impose reasonable conditions on the use of the facilities, such as limiting the time or duration of use when necessary for orderly conditions. The Vice President may require an organization to make adequate security arrangements for traffic or crowd control. A deposit may be required from non-University organizations in such reasonable amount as may be determined sufficient by the Vice President, after discussion with interested University-related groups, to insure payment of any special expenses or damages incurred. All federal and state laws and city ordinances must be obeyed, and it is the responsibility of the group to obtain all applicable permits or licenses.

e. Denied Applications. The Vice President states in writing the reason for the denial of any application. A decision denying an application may be appealed to the Senior Vice President for Finance and Operations. The Vice President may not deny an application for any reason that would deny constitutionally protected rights of freedom of speech and assembly.

38.3 Approval

When registration of an event or activity by a representative of Office of the Vice President for Student Life is required by the *Code of Student Life* (see "Regulation of Student Organizations" in the *Policies and Regulations Affecting Students*), written approval is obtained prior to submitting application for use to the Office of the Vice President for Student Life. Such applications will not be considered unless accompanied by the appropriate approval form signed by a representative of the Office of the Vice President for Student Life. Approval by the Office of the Vice President for Student Life does not result in automatic approval of the use of space or facilities.

38.4 Camping

Camping is prohibited except as expressly approved by the Vice President for Student Life.

38.5 Foreign Structures

No tent, hut, table, platform, vehicle, booth, kiosk, or similar object or structure may be placed or erected, on the campus except as expressly approved by the Vice President for Student Life in connection with an authorized group event or activity.

38.6 Signs and Banners

No sign, banner, slogan, symbol, display, or other similar device may be painted, affixed, erected, or installed on the campus except as expressly approved by the Vice President for Student Life. This prohibition does not apply to the distribution of leaflets to individuals nor to the carrying of picket signs or placards by individuals, provided such activities are conducted in a legal manner.

38.7 Kautz Plaza

a. General. The use of Kautz Plaza as a public forum for speech, assembly, and petition is encouraged by the University.

The policy governing the use of the Pentacrest (V-37) shall apply to the use of that area known as Kautz Plaza, with the following additions.

b. Definition. Kautz Plaza is that elevated concrete area north of Jefferson Street and south of Market Street bounded by Calvin Hall to the South, Iowa Memorial Union Parking Ramp to the west, Trowbridge Hall to the north, with T. Anne Cleary Walkway (formerly North Capitol Street), Pappajohn Business Administration Building, and Gilmore Hall to the east. The T. Anne Cleary Walkway is not deemed a part of the plaza, for purposes of this policy.

c. Sale of Goods/Solicitation. Sale of goods or solicitation involving money is prohibited with the exception of special events which may be approved on an annual basis as part of a traditional event.

d. Number of Events/Tables. More than one event at a time may be scheduled on the plaza. The number of tables or events permitted simultaneously will be the decision of the

Vice President for Student Life. Tables may not be placed in the walkway area between the general curb lines.

V. Administrative, Financial, and Facilities Policies

Chapter 39 – Skateboard, In-Line Skate, and Rollerskate Rules

(Enacted 4/94)

39.1 General Limits

No person shall rollerskate, in-line skate, or ride a skateboard in any University buildings, including parking ramps, nor shall any person rollerskate, in-line skate, or ride a skateboard elsewhere on University property in areas where signs prohibiting such activities are posted.

39.2 Careless Riding Prohibited

No person shall in-line skate, rollerskate, or skateboard in a manner which presents an unreasonable risk of harm to themselves or others. Nor shall any person in-line skate, rollerskate, or skateboard by weaving in and out through traffic or pedestrians, or by stunting, or at such speed that he or she shall not be able to bring themselves to a stop within the assured clear distance ahead or otherwise without regard for his or her safety or the safety of others.

No person shall in-line skate, rollerskate, or skateboard in a manner which presents a risk of damage to University property. Persons in-line skating, rollerskating, or skateboarding on the University campus shall not engage in acrobatics, or leave the sidewalk or other paved surface to jump up on benches, pedestals, or stairs or other permanent or temporary structures or objects.

39.3 Pedestrians Have Right-of-Way

Persons in-line skating, rollerskating, or skateboarding on University sidewalks shall yield the right-of-way to pedestrians using the sidewalk and use due and proper care at all times for the safety of pedestrians.

39.4 Roadways

No person shall rollerskate, in-line skate, or ride a skateboard upon any roadway on the University campus except when crossing a street on a crosswalk. When so crossing, such persons shall be granted all the rights and be subject to all the duties applicable to pedestrians.

39.5 Clinging to Motor Vehicles Prohibited

No person traveling upon in-line skates, rollerskates, or a skateboard shall cling to or attach themselves to any other moving vehicle upon any roadway or bikeway.

V. Administrative, Financial, and Facilities Policies

Chapter 40 – Bicycle Regulations

(Regents 6/30/95; amended 11/04; 12/06)

The University has adopted the following regulations for the operation and parking of bicycles on campus. They have been adopted in accordance with IC 262 and IAC [681]4.

40.1 Bicycle Operation Regulations

a. Definitions. For the purpose of these regulations the following definitions will be used.

(1) "Bicycle" means any wheeled vehicle which is not self-propelled and which is designed to be pedaled by the rider.

(2) "Pedestrian Areas" or "Slow Zones" include any walkway, sidewalk, crosswalk, plaza, patio, play court, parking facility, loading zone, and any other University facility that is intended primarily or partially for use by pedestrians. In pedestrian areas, individuals traveling on foot or in a wheelchair always have the right of way.

(3) "Reckless Operation" of a bicycle is defined as operating a bicycle in such a manner as to indicate either a willful or wanton disregard for the safety of persons or property.

b. Operation of Bicycles on Public Streets. Bicycles operated on public streets are governed by the same regulations as motor vehicles and by the Iowa City ordinances regarding the operation of bicycles.

c. Operation of Bicycles in Pedestrian Areas (Slow Zones).

(1) When bicyclists are within five bicycle lengths of other individuals who are in a wheelchair, walking, bicycling, skating, or skateboarding, they must slow their speed to match the general pace of the pedestrian flow.

(2) Bicyclists must always maintain a minimum of one bicycle length separation from other individuals in a pedestrian area. If operators are unable to maintain a one bicycle length separation, they should proceed no faster than at the pace of a slow walk, or dismount and walk until a legal pass is possible.

(3) When passing, bicyclists should notify others on which side they intend to proceed.

(4) Bicyclists are responsible for the safe operation of their bicycle at all times. Any "reckless operation" of the bicycle is not permitted.

d. Operation of Bicycles In All Other Areas.

(1) Bicycles are prohibited from being ridden within University buildings.

(2) Bicycles are prohibited from being ridden on non-paved areas such as grass and planting beds, unless otherwise designated as a bicycle trail.

40.2 Bicycle Parking Regulations

a. Definitions. For the purpose of these regulations the following definitions will be used.

(1) "Handrail" is any railing intended to provide physical support to a pedestrian.

(2) "Immobilization" of a bicycle consists of restricting the bicycle's use by detaining it at the point of infraction with a University locking device.

(3) "Impoundment" of a bicycle consists of removing the owner's locking device, transporting the bicycle to a University facility, and detaining it with a University locking device.

(4) "Street Furniture" is any structure or accessory in a University pedestrian area or slow zone designed for the benefit of pedestrians. This includes, but is not limited to, benches, tables, lamp posts, and trash receptacles.

b. Registration.

(1) To register a bicycle with the University, a current registration form is to be filled out at the Parking and Transportation office. Required information includes current name of owner, address, University I.D. number, description of the bicycle, and the bicycle manufacturer's identification number. Proof of name and address is required. Once the registration form is completed, a decal will be issued.

(2) Bicycles may also be registered with the cities of Iowa City and Coralville. If these registrations are current and the decal is affixed to the bicycle, the University will accept them in lieu of a University registration.

(3) Placement of Registration Decal. The registration process is completed when the registration decal is permanently and visibly affixed to the down- or seat-tube on the bicycle.

(4) An official University bicycle registration decal is valid if the address and ownership given on the registration form is current. Change in ownership of a bicycle must be reported to the Parking and Transportation office. Proof of change in ownership is required.

c. Violations.

(1) Bicycles attached to, or rested against, trees, shrubs, handrails, handicapped parking meters, or limiting access to, or use of, any University facility may be impounded and/or the owners fined.

(2) Bicycles parked inside a University building which is not designated for bicycle parking may be impounded and/or the owners fined.

(3) Bicycles bearing proper registration decals which are attached to, or rested against, street furniture may be ticketed or immobilized and the owners fined. If the bicycles interfere with the use of the furniture, they may be impounded.

(4) Bicycles not bearing proper registration decals which are attached to, or rested against, street furniture may be immobilized and the owners fined. If the bicycles interfere with the use of the furniture, they may be impounded.

(5) Bicycles considered abandoned may be labeled for impending impoundment by placing impoundment tags on the bicycles. If the bicycles display the proper

registration decals, an attempt will be made to contact the owners to remove the bicycles. If the bicycles do not display the proper registration decals, the owners have seven days to contact the Parking and Transportation office from the time the bicycles are tagged until the bicycles may be impounded.

d. Fines and Fees.

(1) Fines and fees may be assessed against the owner, operator, or registrant of the bicycle involved in each violation and shall be billed through the University's Business Office.

(2) The person in whose name the bicycle is registered with the University shall be responsible for all violations attached to the bicycle and is thus subject to any and all fines and fees resulting from these violations.

(3) Violations of the regulations may also be enforced by the immobilization and/or impoundment of a bicycle.

(4) Schedule of Fines and Fees.

(a) The fine for the first five parking violations in a year will be $5 each. All subsequent violations will be $10 each. Bicycles accumulating ten or more violations in a year will be subject to impoundment at the time of each additional infraction. Bicycles will continue to be subject to impoundment until the end of the year if found in violation. Violations are cumulative for the year beginning on August 1 and continuing through July 31.

(b) The fee for immobilization will be $10 for each incident.

(c) The fee for impoundment will be $25 for each incident. Additional storage costs will accrue at $1 per day after the first day of impoundment.

(d) The fine for cutting, removing, or damaging a University of Iowa locking device will be $50.

e. Immobilization.

(1) Bicycles bearing proper registration decals that have been immobilized may be claimed by proving ownership, paying the immobilization fees, and any fines.

(2) Bicycles not bearing proper registration decals that have been immobilized may be claimed by proving ownership, registering the bicycle under a valid name and address, and by paying the appropriate fines and immobilization fees. Immobilization fees for first-time offenders may be waived after immobilized bicycles have been registered.

(3) Immobilized bicycles not reclaimed after two working days may be impounded.

f. Impoundment.

(1) Bicycles bearing proper registration decals that have been impounded may be claimed by proving ownership, paying the impoundment fees, and any fines.

(2) Bicycles not bearing proper registration decals that have been impounded may be claimed by proving ownership, registering the bicycles under a valid name and address, and by paying the appropriate fines and impoundment fees. Impoundment fees for first-time offenders may be waived after impounded bicycles have been registered.

(3) All impounded bicycles will be held for 60 days, during which time they may be claimed by the owners upon payment of all outstanding fines and charges. After 60 days, all unclaimed impounded bicycles will be deemed abandoned property and sold pursuant to Iowa law, and the proceeds applied to the costs of impoundment, storage, and sale. The balance, if any, shall be sent to the owner.

(4) The University will not pay for locking devices damaged or destroyed during impoundment.

g. Appeals. Violations may be appealed by first paying the fines and fees, and filing a written appeal with the Parking and Transportation office.

V. Administrative, Financial, and Facilities Policies

Chapter 41 – Building and Room Keys

(Business Office 1967; amended 9/93; 4/13)

41.1 Master Key Policy

In general, University buildings are keyed to master systems, with sub-master systems as required by the unique uses and occupancy of the building space. Master keys are available only to appropriate authorities. Mechanical rooms are keyed to maintenance master keys and custodial rooms to custodial master keys. This system is necessary to provide for security of people and property, to provide access in case of emergency and to provide routine access for maintenance workers.

Any departure from standard master keying systems requires approval of the Associate Vice President and Director, Facilities Management (or designee). Requests should be forwarded through Facilities Management—Building and Landscape Services by the collegiate dean or appropriate vice president for review and action.

41.2 Responsibility for Issuing and Controlling Keys

The academic deans and chief administrative officers of the various divisions of the University are responsible for issuing all building and room keys to members of their colleges and divisions who require access to assigned facilities. It is the responsibility of the deans and chief administrative officers to maintain records of keys issued and to retrieve keys from departing personnel. The key control responsibility may be delegated at the discretion of the deans and chief administrative officers and placed on a departmental basis. In such instances the department chairmen, heads, and directors are to assume key control responsibility for their departments.

41.3 Responsibility for Key Duplication

It is the responsibility of Facilities Management--Building and Landscape Services to maintain custody and control of original keys for buildings and rooms. University keys are to be duplicated only from the originals and only by Facilities Management--Building and Landscape Service.

41.4 Key Ownership

Keys are issued on a no-deposit basis and ownership of the keys vests with the University. Departing members of the faculty and staff have an obligation to return all University keys to their department heads.

41.5 Procedure for Ordering Keys

Keys are to be duplicated by Facilities Management—Building and Landscape Services after receipt of a properly prepared requisition signed by the dean or department head and indicating the departmental general expense account number, name of the building, the room or rooms within the building, and the number of keys required for each room. The keys ordered will be available to the department within forty-eight hours after receipt of the requisition.

V. Administrative, Financial, and Facilities Policies

Chapter 42 – The Naming of Facilities and Programs

(President 5/83; amended 9/93; 1/08; 2/09; 5/17)

42.1 Naming Proposals

Proposals for the naming of Academic Units (colleges, schools, centers, institutes, departments, laboratories, and major academic or program units), and Major Facility Units (entire buildings, wings of buildings, colleges, programs, and large sections of the campus) should be forwarded through the appropriate collegiate deans'/directors' offices to the appropriate vice president for recommendation of approval. Once the naming is conceptually approved, the dean/director or vice president will then submit a written proposal to the Joint Development Committee (JDC) (see V-42.3 below), for review and recommendation to the President. Time is of the essence in many major-gift negotiations, and these guidelines are not intended to impede that process. When the necessary approvals must be expedited, a conference call among University and University of Iowa Foundation leadership can achieve the intended purpose, as long as that conversation and resulting decisions are documented and filed with the JDC.

Proposals for the naming of Minor Facility Units (e.g., rooms, classrooms, faculty offices, self-enclosed laboratories, small conference rooms, study carrels, open spaces, structures, physical features, etc.) should be forwarded through the appropriate collegiate deans'/directors' offices to the appropriate vice president and then to the Executive Vice President and Provost and to the Senior Vice President for Finance and Operations for their review and approval. No review by the JDC is required for the naming of Minor Facility Units unless the naming proposal is a controversial naming, involves a corporate naming, or involves a potential conflict of interest.

42.2 Review by Campus Planning Committee

In the case of the naming of Major Facility Units, after Joint Development Committee review of the opportunity for naming and the appropriate gift minimum required for any such naming, the President forwards the proposed name to the Campus Planning Committee (CPC) for review of the name selection, including whether the proposed name will cause confusion and whether the name is consistent with the building's function. Subsequent to the review by the CPC, the President forwards the proposed Major Facility Unit name to the Board of Regents for approval.

As a charter committee, the CPC includes faculty and staff members. It is important that those constituencies have the opportunity to weigh the implications of any recommendation before advising the President.

42.3 Joint Development Committee (JDC)

The Joint Development Committee (JDC) consists of the Executive Vice President and Provost, the Senior Vice President for Finance and Operations, the Vice President for Legal Affairs and General Counsel, and the University of Iowa Foundation president and his or her management team. The JDC advises the President regarding fundraising activities and strategic development priorities, including potential named gift recognition opportunities. See the JDC charter at https://president.uiowa.edu/task-force/university-iowa-foundation-joint-development-committee.

(See also V-42.4a below.)

42.4 Additional Resources

The following should be consulted in the naming of Academic Units, Major Facility Units, and Minor Facility Units:

a. Office of the President, "Joint Development Committee Guidelines on Naming Opportunities and Gift Minimums"

b. Office of the Executive Vice President and Provost, "Guidelines for Endowed Faculty Positions at The University of Iowa"

c. *Board of Regents Policy Manual* 2.3.16: "Naming"

d. University of Iowa Hospitals and Clinics, "Naming UIHC Facilities" (Policy and Procedure Manual, LD-GI-04.25)

V. Administrative, Financial, and Facilities Policies

Chapter 43 – Safety, Health, and Environment Policy

(Amended 3/01; 3/05; 3/09; 9/14)

43.1 General

The University of Iowa is committed to excellence and leadership in protecting the environment and the safety and health of its students, faculty, staff, patients, and visitors. Towards that end, the University shall exercise responsible stewardship over the resources entrusted to it.

43.2 Guiding Principles

In support of this commitment, the University adopts the following guiding principles. The University will:

a. Comply with applicable safety, health, and environmental laws and regulations.

b. Recognize appropriate safety and environmental management as among its highest priorities and establish policies, programs, and practices for conducting operations in a healthy, safe, and environmentally sound manner.

c. Strive to increase awareness of environmental issues and the impact of the University's activities on the environment, and to educate, train, and motivate members of the University community to conduct their activities in an environmentally responsible manner.

d. Strive to increase the University community's understanding of how to work safely, reduce injuries, and minimize events that could adversely affect the safety and health of individuals and the environment.

e. Foster openness and dialogue, including the involvement of and communication with the University community, thereby anticipating and responding to their concerns about potential hazards and impacts of operations, services, or wastes.

f. Develop, design, and operate our facilities and conduct our activities taking into consideration the safe and efficient use of energy and materials, the sustainable use of renewable resources, the minimization of adverse environmental impact and waste generation, and the safe and responsible reuse, recycling, or disposal of wastes or by-products.

g. Promote the adoption of these guiding principles by agents or contractors acting on behalf of the University, encouraging and, where appropriate, requiring improvements in their practices to make them consistent with those of the University, and encourage the wider adoption of these principles by suppliers.

h. Encourage pollution prevention and waste abatement through institutional changes, such as purchasing policies and specifications.

i. Require University students, employees, tenants, and others using University property or engaging in University activities to comply with applicable safety, health, and environmental laws, and regulations.

j. Contribute to the development of public policy and to business, governmental programs, and educational initiatives that enhance environmental awareness and protection.

43.3 Commitments

a. Compliance with regulations and requirements. The University is committed to comply with applicable safety, health, and environmental laws and regulations that govern our work. More specifically:

(1) Any discharges into the University-operated storm sewer system that are not comprised solely of storm water, properly permitted storm water discharges associated with industrial activity, or allowable non-storm water are prohibited. Contractors that violate this prohibition are subject to being debarred from future contracts with the University.

(2) University employees who knowingly or negligently violate this prohibition are subject to progressive discipline up to and including dismissal under the University employee disciplinary procedures.

b. Accident prevention. The University is committed to:

(1) Working to prevent or mitigate human or economic losses arising from accidents and adverse occupational exposures;

(2) Encouraging employees to take an active role in their own safety and health and the safety and health of those around them;

(3) Fostering openness and dialogue between employees, supervisors, administrators, and other members of the University community as a whole to facilitate a cooperative effort in the prevention of workplace injuries; and encouraging employees to timely report incidents and accidents.

c. Pollution prevention. The University is committed to:

(1) Identifying and implementing the best pollution prevention opportunities;

(2) Reducing waste and the consumption of resources (materials, fuel, and energy);

(3) Pursuing opportunities for reuse, recovery, and recycling, as opposed to disposal; and

(4) Minimizing significant adverse environmental impacts in its operations, through the use of integrated environmental management procedures and planning, and through encouragement and involvement of the University community.

d. Continual improvement. The University is committed to continue to improve its policies, programs, and environmental and safety performance, taking into account regulatory changes, technical developments and scientific understanding, the University's needs, and community expectations.

V. Administrative, Financial, and Facilities Policies

Chapter 44 – Art in State Buildings

(Amended 5/03; 12/03; 3/13)

44.1 Introduction

The Art in State Buildings Program was enacted by the General Assembly of the State of Iowa (IC 304A.8-14) to provide for the inclusion of fine arts projects in state building construction projects in cooperation with the Iowa State Arts Council. The requirement states that one half of one percent of the project total cost (not construction cost) shall be expended for the acquisition, preparation, and installation of fine arts elements. Responsibility for implementing the Art in State Buildings Program in compliance with Iowa law is hereby delegated to the University of Iowa Hospitals and Clinics (UIHC) for UIHC capital projects. Accordingly, the following protocol does not apply to University of Iowa Hospitals and Clinics projects.

44.2 Application

The program shall apply to projects that meet the following profile:

a. Budget in excess of $1 million, regardless of source of funds.

b. Construction or major renovation of buildings that directly serve the University's mission of teaching, research, and service (classrooms, offices, health care facilities, laboratories, libraries, residence halls, and athletic and recreational facilities). Maintenance or repair projects, and construction or renovation of parking facilities, utilities, and campus service facilities shall not be included in the program.

c. Projects involving architectural preservation, when such projects involve the preservation or restoration of ornamental detailing of historic properties, shall themselves be construed as applications of the Art in State Buildings Program, and shall not require the expenditure of additional funds for art.

44.3 Art on Campus Committee and Selection of Art

The Art on Campus Committee will receive assistance and support from Facilities Management and will work in close collaboration with the Campus Planning Committee, from which it may seek input and advice as appropriate, in fulfilling its charge. The committee is chaired by the Director of the Museum of Art.

a. Membership. The Director of the Museum of Art and the Director of Facilities Management serve as permanent voting members of the committee. In addition, committee membership includes representatives from the School of Art and Art History, the Campus Planning Committee, the University of Iowa Foundation, the Museum of Art, and four at-large members, appointed by the chair, drawn from academic departments campus wide, and/or from the Iowa City area community.

b. Terms. All appointments are for terms of two years. Members may serve up to three consecutive terms at the request of the chair.

c. Charge. The Art on Campus Committee is responsible for maintaining high standards for all permanently installed art on the University of Iowa campus, with the exception of the University museums. In addition, the Art on Campus Committee provides expertise and guidance in the acquisition of public art across the University of Iowa campus under the Art in State Buildings Program. In spending one-half of one percent of applicable project costs, as mandated by state law, to acquire public art, the Art on Campus Committee seeks to purchase or facilitates the purchase or the commission of outstanding works of art for campus public and semi-public areas.

   In addition to selecting the art, the committee shall consider and identify maintenance and related costs that would be required for a given artwork. When the committee convenes to consider art for a given space or building, the respective dean or appropriate administrator is informed, and the committee is joined at the outset by a (voting) representative from a college, department, school, or division housed in a new or newly renovated facility for which funds have been set aside for the acquisition of art.

   In addition, the committee reviews proposals for the public display of art on a long-term or permanent basis on campus sites. The committee meets at least quarterly, and agendas and minutes include at minimum a list and schedule of ongoing business to be conducted, which is annotated to reflect action taken.

d. Philosophy. Art selected for the University of Iowa campus is intended to edify and delight. Therefore, excellence of aesthetic idea, sensibility, and execution should be the hallmarks of selection of art by the Art on Campus Committee, with the consequence that selected works demonstrate persuasively and forcefully to the public that The University of Iowa is deeply concerned with universal and lasting human values.

44.4 Funding for Works of Art

For qualifying projects, the approved budget shall contain a line item that clearly states the amount that the project shall contribute to the acquisition, preparation, and installation of the works of art. This contribution shall be considered to be fixed, except in extraordinary circumstances. If the cost of the recommended selection exceeds the budgeted amount, additional sources of funding shall be identified from outside the project prior to action on the recommendation.

44.5 Acquisition, Preparation, and Installation

Acquisition, preparation, and installation of works of art shall be carried out via contract. Contracts should be reviewed and approved consistent with University policy and shall be subject to approval by the University Business Manager. Contract oversight shall be provided by Facilities Management. Facilities Management shall consult with the Director of the Museum of Art to ensure that the artistic intent of the work of art is carried out, to the extent possible.

(IC 304A.8–14)

V. Administrative, Financial, and Facilities Policies

Chapter 45 – Video Surveillance

(Amended 8/20/12)

45.1 Scope of Policy

This policy applies to all University of Iowa students, faculty, staff, and visitors to campus in their use of video equipment for the purpose of surveillance on or in any University property, facilities, and spaces and/or during the course of University-sponsored activities. Employing units of the University may establish more specific expectations in addition to this policy or elaborate on this policy in greater detail.

45.2 Exclusions

This policy does not apply to video used by or for:

a. Non-surveillance purposes. Examples of non-surveillance video recordings include, but are not limited to, video recordings made for:

(1) instructional, academic, or artistic purposes,

(2) capturing public events and performances,

(3) recording promotional or news events,

(4) convenience such as weather or construction site viewing,

(5) video conferencing,

(6) University research purposes, or

(7) patient care or medical treatment.

b. The University of Iowa Department of Public Safety (DPS). DPS is authorized to utilize video surveillance as necessary to fulfill their mission and responsibilities as a law enforcement agency.

c. Cameras installed in University space leased to an external party. The external party will provide the location of all video surveillance equipment in University space to DPS.

This policy also does not apply to audio recordings as they are addressed by *Iowa Code* 727.8, including the audio portion of a video recording.

45.3 Principles and Rationale

a. The University of Iowa is committed to protecting the safety and property of our community by promoting a secure campus environment while avoiding unnecessary intrusions. This policy is intended to assure the appropriate use of video surveillance for reasons of safety, security, and stewardship of people and resources and provide transparency in the use of that technology/equipment.

b. Video surveillance of individuals is prohibited if the use of such surveillance is based upon considerations that violate the University's Policy on Human Rights (see II-3).

c. Video surveillance will be used in a professional and ethical manner in accordance with University policy and local, state, and federal laws and regulations, as well as any other relevant standards, such as those specific to health care organizations.

d. The use of personal "webcam" technology that records video using portable electronic devices for surveillance purposes is prohibited.

e. Virtual or "fake" surveillance cameras are prohibited.

45.4 Procedures

a. An administrative committee will be formed to monitor the application of this policy to new and existing uses of video surveillance; to create operational procedures related to the approval of requests, retention of and access to video surveillance footage, use of signage; and to provide for timely reviews of this policy.

b. Process for approval. Prior to design, purchase, installation, and/or any use, all video surveillance equipment and systems must be approved in writing as consistent with this policy.

(1) For all University organizations other than University of Iowa Hospitals and Clinics:

(a) Requests for design, purchase, installation, and/or use must be made to one of the following University officials:

(i) The vice president, or a designee, for the requesting unit;

(ii) Assistant Vice President and Director of Public Safety, or a designee; or

(iii) Chief Human Resources Officer, or a designee.

(b) Upon receiving a request, the University official will consult with the other University officials listed above and the Information Security and Policy Officer or a designee, prior to approval. Upon approval, these same individuals shall be notified of the written response by the approving University official.

(2) For University of Iowa Hospitals and Clinics (and the operations of other health care units under the authority of the hospital):

(a) The Vice President for Medical Affairs or a designee will be responsible for all requests for the design, purchase, installation, or use of video surveillance equipment and systems within the hospital. This person will also be responsible to assure appropriate consultation with other hospital and/or University officials, such as the Associate Vice President for Human Resources for UI Health Care, regarding the application of this policy.

(b) UIHC's Department of Safety and Security is responsible for notifying the Department of Public Safety of the locations of surveillance cameras and for the retention of recordings.

c. Confidentiality statements. All University faculty, staff, and students with access to video surveillance systems are required to sign a confidentiality statement approved by the Office of the General Counsel.

d. External releases of footage.

(1) Public records requests. All public records requests, including requests for the release of video surveillance footage, should be submitted to the UI Transparency Officer, 101 Jessup Hall, according to normal University practice.

(2) Other external release. Prior written authorization from the Office of the General Counsel, or a designee, is required for any other release of video surveillance footage to any party external to the University.

e. If video surveillance is installed where identification of individuals is possible, signage should be used when appropriate for the context. The following language is suggested: "This area is subject to video surveillance and may or may not be actively monitored."

45.5 Responsibility/Authority for Control

a. The University officials in V-45.4 above are responsible for and will maintain oversight for the appropriate use of video surveillance consistent with this policy.

b. DPS shall be given access to video surveillance equipment and footage upon demand when necessary to fulfill their mission and responsibilities as a law enforcement agency.

c. Distribution of video surveillance footage to University personnel other than those originally approved at the time the request was made or for a specific use other than the original purpose must be approved in writing following the process established in V-45.4 above, by the University official, or a designee, that approved the original request. Any such distribution will be for legitimate University purposes and subject to applicable regulations and/or University policy.

d. The location of all existing video surveillance equipment must be provided to DPS by December 31, 2012, and may be subject to review by the administrative committee in V-45.4a above.

45.6 Compliance

Violations of this policy may result in the following:

a. Immediate removal of equipment and/or violators from University facilities;

b. Resolution in accordance with applicable University policies and procedures, which may include disciplinary action up to and including expulsion or termination from the University; and/or

c. Being reported to DPS for possible criminal investigation.

45.7 Standards

All video surveillance equipment located outside of the UI Hospitals and Clinics (or the operations of other health care units under the authority of the hospital) must be brought into compliance with the following technical, financial, and installation standards no later than June 30, 2017:

a. Information Technology Standards available from the ITS service description located at: https://its.uiowa.edu/video-surveillance

b. Design and Construction Standards located at: www.facilities.uiowa.edu/pdc/designstandards/index.html

c. Security and Access Control Standards available from Facilities Management, 200 University Services Building.

VI. Services

Chapter 1 – University Department of Public Safety

(Amended 9/93; 9/98; 1/10; 4/13; 10/16)

1.1 General

The University Department of Public Safety (DPS) operates 24 hours, seven days a week. Public Safety provides law enforcement by state certified peace officers and security services for University personnel and property. Additionally, DPS is responsible for the delivery of emergency communications for the University of Iowa campus. The Department of Public Safety actively promotes a safe and secure environment for all persons who come in contact with The University of Iowa, while supporting the University's goal to facilitate an atmosphere of quality education, research, and service. The Department of Public Safety maintains a well-trained and -equipped professional work force to respond to University needs. The department operates under the Senior Vice President for Finance and Operations.

1.2 Special Duty

It is desirable and often necessary for Public Safety personnel — UI police officers as well as civilian security officers employed by DPS — to be present during University educational, social, athletic, or other special events to provide security, crowd supervision, and traffic control. The Public Safety Department provides these services for any University department or organization upon receipt of a University requisition. The requisition must state the nature of the function, the estimated number of participants, and the hours required. Organizations using these services are urged to consult with the Department of Public Safety in advance to determine how DPS may best meet their needs.

1.3 Services

(Amended 10/16)

The Department of Public Safety provides a number of campus services. Some of the most frequently used are:

a. Fingerprinting service is provided for University personnel seeking citizenship papers, military commissions, passports, dental boards, government security clearances, and the like. Individuals in need of fingerprinting services are invited to contact DPS for available hours or go to the DPS website under FAQs.

b. DPS employs a Threat Assessment Specialist who is dedicated to the early identification, assessment, and management of potentially dangerous incidents and behaviors which may threaten the safety of the University community.

c. Nite Ride is a safe means of late-night transportation; details can be found on the DPS website.

d. DPS will unlock offices for people who have locked their keys in their office. A person must have a picture ID for verification and electronic records must confirm appropriate access. If verification is not possible, a person must contact his or her supervisor for access.

e. DPS provides lost and found services located at DPS headquarters, 809 University Capitol Centre.

f. UI Police offers two courses in Personal Safety and Self-Protection. Both courses are given upon group request and cover the principles of personal safety and self-protection with an emphasis on risk reduction for the University community. One course has a "disruptive persons" component and teaches de-escalation techniques for University employees.

g. With regard to incidents involving sexual abuse, police officers are available to begin an investigation and to facilitate communications between the UI Sexual Misconduct Response Coordinator, the Rape Victim Advocacy Program, other law enforcement agencies, and the Johnson County Attorney's Office. UI Police will not pursue a criminal case or contact anyone without the consent of the reporting party.

h. Rape Aggression Defense (R.A.D.) Training. The R.A.D. system, the largest women's self-defense program in the country, teaches risk education and self-defense techniques to women in the University community.

i. UI Police offers a Violent Incident Survival Training (V.I.S.T.) class that teaches A.L.I.C.E. principles. A.L.I.C.E. stands for Alert, Lockdown, Inform, Counter, and Evacuate. Taught throughout the United States, the A.L.I.C.E. course teaches individuals proven techniques and provides them with several options that are effective in avoiding, escaping and, if necessary, protecting intended victims from active shooters or other violent attacks on large numbers of people and increase the odds of survival.

(See also the Department of Public Safety website.)

VI. Services

Chapter 2 – Office of the University Ombudsperson

(Amended 10/94; 9/97; 11/04)

The Office of the Ombudsperson, located at C108 Seashore Hall, serves students, faculty, and staff by offering a confidential, neutral, and independent dispute resolution service. The Ombudsperson's mission is to ensure that all members of the University community receive fair and equitable treatment within the University system.

2.1 Staff and Services

Established in 1985, the Office of the Ombudsperson is staffed by two Ombudspersons appointed by the President of the University. One is appointed to a half-time, non-renewable four-year term, and the other has a full-time professional appointment. The Ombudsperson investigates claims of unfair treatment or erroneous procedure and serves as a neutral and detached listener, information resource, adviser, intermediary, and mediator. The Ombudsperson considers all sides of a question impartially and objectively.

The Ombudsperson explains and clarifies the established policies and procedures of the University, and actively represents the University's commitment to fundamental fairness in its community. The Ombudsperson does not have the power to order changes in rules, regulations, policies, procedures, or the behavior of others; however, he or she does have an obligation to bring to administrators' attention any policies, programs, or personnel or institutional decisions which he or she believes violate the rights of students, faculty, or staff. The Ombudsperson shall have access to members of the University community and University files, records, reports, and information reasonably required to fulfill his or her functions. Questions concerning reasonably required access will be resolved by the General Counsel in consultation with the Ombudsperson and other appropriate University officials.

2.2 Confidentiality and Independence

Confidentiality and independence are critical characteristics of the office. The Ombudsperson receives every new complaint with the presumption of confidentiality and never divulges a client's name or the nature of a complaint to anyone without the client's consent. The Ombudsperson is not an administrative officer of the University and does not report to any administrative office or constituency group. The office does not keep records on behalf of the University, and consultation with the office does not constitute notice to the University of any complaint or grievance. The Ombudspersons do not testify in any formal proceedings concerning matters brought in confidence to the office. The Ombudsperson presents an annual report to the President and the University community. The work of the office is reviewed by a campus-wide committee appointed by the President of the University typically every four years.

2.3 References

For many problems a procedure is already in place and outlined by University rules or policies. Where practical, faculty or staff members should discuss problems with department chairs, supervisors, and/or union representatives; students should observe procedures outlined in *Policies and Regulations Affecting Students*. Normally complainants should follow the regular policies and procedures or routes of appeal set forth in University publications (*Operations Manual*, *Policies and Regulations Affecting Students*, staff and faculty handbooks, etc.) before contacting the Ombudsperson. Sometimes, however, reasons may exist for not advancing a complaint through official channels. These channels may mean lengthy and damaging delays, or entail a lack of confidentiality and/or impartiality. In these situations the Ombudsperson may present a desirable alternative.

2.4 Grievance Procedures, Disciplinary Process, and Jurisdiction

The Ombudsperson generally is not involved in the substance of formal appeal procedures, but may investigate alleged irregularities in the proceedings. The Ombudsperson may decline a case when judging intervention inappropriate. The Office of the Ombudsperson is independent of the University disciplinary process. The Ombudsperson may not take up conflicts with individuals, companies, or organizations falling outside the jurisdiction of The University of Iowa.

2.5 Job Security and Protection of Students

No retaliatory action is to be taken against a student, staff, or faculty member because he or she consulted with the Ombudsperson's Office. Visiting the Ombudsperson's Office should not jeopardize an employee's job security, promotion, tenure, scholarly opportunities, or performance evaluations. Neither will it jeopardize student evaluations or grades.

2.6 Release Time from Work

A staff member who requests time to visit the Office of the Ombudsperson during working hours should not be denied the opportunity to do so and may request time during normal working hours for the initial appointment. For subsequent appointments, employees must request additional release time through the Office of the Ombudsperson. Employees who prefer not to notify their supervisors of their intention to visit the Ombudsperson's Office may make special arrangements for noon or after-hours appointments. Third-shift employees should schedule appointments during regular working hours (8 a.m.–5 p.m., Monday–Friday) or telephone to make special arrangements.

For more information, see the Office of the Ombudsperson web page at https://uiowa.edu/ombuds/.

VI. Services

Chapter 3 – Information Technology Services

(Amended 9/93; 10/94; 10/95; 9/98; 9/00; 10/01; 9/02; 12/03; 11/04; 12/05; 12/06; 1/09; 12/16)

3.1 University Chief Information Officer – Information Technology Services

Information Technology Services (ITS) provides integrated information technology (IT) support for the University of Iowa campus. ITS provides computing facilities; administrative information systems; voice, data, and video communications networks and services; technological resources for teaching and research needs; Instructional Technology Centers (ITCs); and a variety of related services and support.

Information Technology Services is a group of four departments (see VI-3.2 through VI-3.5 below). Each department has its own decision autonomy, budgets, and business plans, which guide its actions and decisions. The Associate Vice President and Chief Information Officer (CIO) provides coordination, capital planning and control, policy approval, and other institutional coordination intended to support the successful operation of each ITS department.

The CIO also leads the Campus IT Leaders (CITL), a group of UI collegiate and administrative IT top-level staff. The group's general purpose is to facilitate discussion, strategies, infrastructure/enterprise solutions, and good communication on information technologies.

The CIO office provides further support to the campus IT community through several groups focused on specific IT practices: IT administrators, webmasters, application developers, and help desks. See the CIO website for links to these groups.

The University IT Security Office reports to the CIO and promotes the implementation and use of secure information technology systems, services, and programs. Offering educational materials for campus technology providers and security awareness programs for technology users are key components. In addition, the Security Office consults on issues of regulatory compliance, develops and/or shares industry best practices for security, and facilitates the development of new and updated IT policies for campus. Critical information security services for the campus are managed by the Security Office, as well as the coordination of security incident response and resolution.

The CIO is advised by the Information Technology Advisory Committee (ITAC), a charter committee appointed by the governing body of the faculty, students, and staff and the Faculty Senate, confirmed by the President of the University. The committee's general charter is to advise and recommend on University IT policies, services, and development.

For more information on any of these services, please see https://cio.uiowa.edu or contact Information Technology Services by phone or email (its-information@uiowa.edu).

3.2 Campus Technology Services (CTS)

The Campus Technology Services (CTS) department provides broad-based services to all campus users, as well as assistance to instructors and researchers who use technology. The group offers a wide range of services and support, as detailed below.

a. ITS Help Desk support is available to students, faculty, and staff at The University of Iowa. The ITS Help Desk provides support for ITS services, operating systems, software applications, web-based computer systems, security, and much more (https://its.uiowa.edu/helpdesk/).

b. The Computer Sales Program is available to purchase new equipment from selected vendors. Models are available at the ITS Help Desk to try out before buying.

c. Select software titles can be downloaded through the ITS Software download site (https://its.uiowa.edu/software/).

d. Assistance in acquiring software through volume discounts and reviewing software licenses to ensure proper compliance is available through the Software Licensing Service (https://its.uiowa.edu/campus-software-program).

e. Groupshare is a web-based file collaboration service that allows teams to share information, collaborate on documents, and more (https://its.uiowa.edu/groupshare).

f. Application Development and Integration services are available.

g. Web design and consulting services are available at https://its.uiowa.edu/web-development#!service-catalog.

h. More than 25 general-access computer labs are available across campus as part of the Instructional Technology Centers (ITC) service (https://its.uiowa.edu/itc).

i. For a complete list of services provided by ITS, visit the ITS Service Catalog at https://its.uiowa.edu/all-services-and-software.

3.2(1) Support for Instructors

The Instructional Services group of Academic Technologies supports instructors in their use of computing technologies in teaching endeavors. For more information on any of these services, please contact Instructional Services by phone or email (https://its.uiowa.edu/contact). Services include the following:

a. Collaborate with instructors to produce instructionally relevant electronic materials and tools. Instructional Services staff have a rich set of skills and many years of experience supporting the use of technology in instruction. Staff can offer assistance in any of the following areas:

(1) Instructional design;

(2) Development of instructional software applications;

(3) Use of authoring tools;

(4) Web development (including web page design and online course development with ICON and other tools);

(5) Database development (including active web page creation);

(6) Use of presentation tools; and

(7) Digital media production.

The assistance provided ranges from walk-in assistance in the consulting and media studios (see paragraph c below) to developing software projects that require months of effort.

b. Assist instructors in building course-related websites. Instructional Services is responsible for the University's course management system, ICON (Iowa Courses Online). Working with individual colleges, Instructional Services staff are available to assist instructors in building course websites, to provide consulting and training on ICON, and to integrate ICON with other information systems on campus (Registrar, Exam Services, Library), as well as with specialized collegiate applications.

c. Maintain consulting and media studios with on-site expertise in software applications and hardware. This includes a media lab exclusively for instructor and researcher use. The media lab offers specialized hardware and software for both Macintosh and Windows platforms. Instructional Services also provides help in designing and creating digital media for instruction. Faculty can use the facility on a walk-in basis or receive one-on-one consultation by appointment. Some of the typical things that can be done in the studio include the following:

(1) Digitize and edit photos, slides, audio, and video;

(2) Design and create media-based presentations, lectures, and course web pages;

(3) Use digital still and video cameras to create digital movies and animations; and

(4) Experiment with new instructional and adaptive technologies.

Faculty can stop by the consulting and media studios in University Capitol Centre to use the equipment or consult with a staff member Monday-Friday, 9 a.m.–5 p.m., or by appointment.

d. Provide opportunities for faculty to learn about technology and its integration with teaching and research. In addition to the one-on-one assistance provided through the consulting and media studios, Instructional Services also offers a variety of opportunities for faculty to learn about technology and teaching.

(1) NExTT Workshops. Twice a year (before the start of each semester), Instructional Services sponsors a week-long series of workshops, NExTT.

(2) Ad Hoc Workshops. Instructional Services staff are available to provide small-group training geared specifically to a department or group, in any location (office, classroom, or in the consulting and media studios).

(3) Throughout the year, Instructional Services sponsors half-day workshops, demonstrations, and seminars on specialized topics covering the latest tools and methods for teaching with technology.

e. Investigate new and emerging products, methods, and systems that have instructional applications, especially those technologies that are based on open standards and promote interoperability. Investigations are typically collaborations with faculty and other ITS departments, sometimes initiated by Instructional Services and sometimes initiated by others. The following list identifies some of the major areas for investigations and gives examples from recent projects.

(1) Collaboration tools

(2) Development standards: XML, IMS

(3) Digital video: DVD, streaming video, MPEG

(4) Communications: video conferencing, SMIL

(5) Asset management, digital libraries

(6) Web technologies: Java server pages, web-based surveys, web-enabled databases

(7) Networking: wireless, Internet2 applications, distributed network storage devices

3.2(2) Support for Researchers

The Research Services group of Academic Technologies supports researchers in their use of computing technologies in research endeavors. For more information on any of these services, please contact Research Services by phone or email (its-academic@uiowa.edu). Services include the following:

a. Collaborate in new research. Research Services provides expertise in a number of areas. Some current and historical examples include computer imaging and visualization, computer-based 3-D modeling, system administration, software development, virtual reality, molecular modeling, high-performance computing, and high-performance networking. Our staff is available for consultation regarding researchers' projects and actively collaborates by co-authoring papers and co-writing grant proposals.

b. Build the local cyber infrastructure. Research Services is developing local research computing infrastructures, including planning for or development of computational grids and high-performance computing resources, data management, visualization, remote instrumentation access, and collaborative tools.

c. Enable investigators to better accomplish their endeavors through the use of information technology. Research Services works to provide whatever is necessary for investigators to be successful in their use of information technology. This can include: training, both in one-on-one situations and in workshops organized through the year; providing access to unique hardware; serving as liaisons to key vendors; and organizing user groups.

d. Stimulate consideration of new technologies. Research Services is always looking at new technologies (such as collaborative tools and immersive environments) and new research applications of existing technologies, such as 3-D printing and high-performance networking.

e. Work with and complement the efforts of other researcher support groups across campus. Research Services works closely with other research facilities on campus to provide multidisciplinary support for researchers.

3.3 Administrative Information Systems (AIS)

The Administrative Information Systems (AIS) department provides information technology solutions and services that enhance the administrative operations of The University of Iowa business, collegiate, academic, and service groups. These services include the full spectrum of development activities (design, programming, implementation, and maintenance), database management and administration, information access, consulting, and project management. These services are provided for internally developed and purchased software. Additionally, Administrative Information Systems provides coordination and support for the University Data Warehouse, which provides end users with decision support, and web-based reporting environments for Admissions Office, Grant Accounting, General Ledger, Human Resources, Payroll, and University Billing Office data. For more information on any of these services, please contact AIS.

The administrative systems supported by AIS encompass a diverse set of University functions such as academic and financial student records, library automation, central business office

functions, human resources, payroll, and personnel services. AIS's major customers include the Office of the Executive Vice President and Provost, Registrar, University Housing and Dining, Admissions, Financial Aid, Finance and Operations, Business Office, Accounting Services, Human Resources, Facilities Services, Research, and University Libraries.

The University's administrative systems are hosted on a variety of computing platforms (IBM Enterprise Server, Unix, Linux, and Windows servers) and databases (DB2, Oracle, and MS SQL Server) using many different development environments (PL1 Batch and CICS, PeopleSoft, Java, and MS Access). AIS services are supported through strong partnerships with sponsoring customer departments and other ITS departments.

The Administrative Information Systems department is organized into customer-centric and service-oriented work groups. Currently, there are four work groups aligned directly with major customer groups (Office of the Executive Vice President and Provost, Library, Finance and Operations, and Finance and Operations-PeopleSoft) to provide their specific support needs. The Institutional Data and Data Management Group is a service-oriented work group that provides broad services across all the administrative customer base. Project MAUI consists of several project-centric work groups focused on either functional modules (Admissions, Student Records, Billing, or Degree Audit-transfer Articulation) or technical infrastructure.

3.4 Systems & Platforms (SPA)

Systems & Platforms (SPA) works in partnership with campus IT providers, especially IT departments, to provide for and sustain reliable, available, and responsive computing infrastructure. Our work helps our partners deliver information technology services to students, faculty, and staff of the University, and to external customers who are important to the University mission.

The Systems & Platforms department provides computing environments that enhance the academic, administrative, teaching, and research functions of the University. SPA also provides comprehensive management or assists with the management of Large Systems, Unix Systems, Windows Services, Enterprise Client Management, Directory and Authentication Services, and Computer Operations at The University of Iowa. The Systems & Platforms department is committed to providing secure, reliable, cost-effective services using the most appropriate and efficient technological tools available. SPA is responsible for hardware and software installation, configuration, and maintenance. The department is also responsible for resource management, troubleshooting, and storage services, including backup and security. The Systems and Platform Administration department is organized by server, client, directory, and operations support. For more information on any of these services, please contact the SPA director.

a. Large Systems. The Large Systems work group provides hardware and software support for the IBM zSeries enterprise server for the University. The Large Systems enterprise server provides services and support for personnel, student, and accounting information for the University. The Large Systems support staff provides service and support for academic and administrative enterprise computing. The group provides installation, configuration, and support of the operating environment, data repositories, transaction servers, and end user computing utilities and languages. The group manages the troubleshooting, data backup and restore, security, and the printing facilities in the IBM zSeries environment.

b. Unix Systems. The Unix Systems work group provides storage service and management of Unix and Linux servers. The Unix group supports the campus computing infrastructure as well as various academic and administrative services at the departmental level. Supported services include campus email, web services, the library online catalog system, VMware, the Red Hat Network Satellite patch and update distribution service, digital asset management, and the PeopleSoft financial and human resource applications. Typical tasks include system installation and configuration, application installation, troubleshooting, backups and restores, and assisting with computer security.

c. Windows Services. The Windows Services work group provides server management and application hosting services to departments. Services include security patching, hardware, software updates, and communications. Supported services include shared campus Active Directory forest domain controllers, campus email/calendaring, web services, file and print, and the course management system. Typical tasks include system installation and configuration, application installation, troubleshooting, backups and restores, and assisting with computer security.

d. Enterprise Client Management. The Enterprise Client Management Services work group provides Systems Center Configuration Manager (SCCM) tools for delegated administration of departmental machines and Citrix support for web access to applications from Windows, Macintosh, and Linux workstations. SCCM for desktop administrators provides: 1) remote control for troubleshooting clients; 2) security patch management; 3) application deployment that allows you to automate installation of specific applications to targeted machines; and 4) asset tracking to monitor both software and hardware inventory.

e. Directory and Authentication Services. The Directory and Authentication Services work group provides Identity and Access Management (IAM) services for the University community. The IAM infrastructure is an integrated system of policies, procedures, business rules, and technologies used to facilitate and control user access to critical online applications and resources while protecting confidential personal and business information from unauthorized users. IAM solutions support user authentication, access rights, service profiles, password strength requirements and changes, and other processes that enable simpler sign-on for campus applications and services.

Major aspects of this IAM infrastructure include: 1) Enterprise Directory Service, 2) Enterprise Authentication (HawkID), 3) Active Directory, 4) security and protection of confidential data, 5) web services, 6) service provisioning, 7) tools for administration and self-service, 8) policy, and 9) enablement of campus applications.

f. Computer Operations and Data Center Management. The Computer Operations and Data Center Management work group provides resources for day-to-day operation of the central University of Iowa computing systems, including Academic Computing and Administrative Computing. The Operations group is responsible for the scheduling, execution, examination, and dispersal of computer output. This includes doing problem determination, problem tracking, and customer assistance. The group is responsible for monitoring the diverse systems and physical infrastructure of ITS computing and data storage facilities.

g. Enterprise Storage. The Enterprise Storage Team is responsible for maintaining the University's centralized storage infrastructure. The group manages hundreds of terabytes of Fibre Channel and ATA disk capacity, Fibre Channel Storage Area Network fabrics based on Brocade switching hardware, EMC storage arrays, and Network Appliance storage systems.

The enterprise storage infrastructure supports many critical applications, including campus email, institutional databases, student records and registration systems, course management systems, library automation systems, VMware clusters, user and departmental file space, and research applications.

3.5 ITS Telecommunication & Network Services (TNS)

(Amended 12/16)

The Telecommunication & Network Services (TNS) department provides planning, development, implementation, and support of networking, data, video, cable television, and voice communications for the University main campus (except for The University of Iowa Hospitals and Clinics) and the UI Research Park. TNS also ensures that the services provided to the University community are cost-effective, dependable, ubiquitous, and of the highest possible quality. For more information on any of these services, please contact Telecommunication & Network Services.

a. Services.

(1) Telephone service, including maintenance and repair

(2) Cable television service, including maintenance and repair

(3) Data networking for access to the campus data network and the Internet, including authenticated wireless access for laptops and other mobile devices

(4) User training and consulting on telephone services and features

(5) Voice processing (voice mail, auto-attendant, bulletin boards, etc.)

(6) Long-distance calling

(7) Conference bridge (conference calling)

(8) Campus directory service

(9) On-campus relay service for the hearing impaired (assistive technology)

(10) Consultation, design, and inspection for communications cabling and outlets

(11) Installation of communication cabling and outlets

(12) Locating buried University communications cables

(13) Installation and maintenance of campus fiber and coaxial cables

b. As part of the campus universal wiring plan, every communications outlet has the capability of providing voice and data connections.

c. Requests for service. A University Service Requisition form is required for any installation, move, change, removal, or replacement of telephone, data, video, or cable service. For service requests, please forward the requisition form to the Telecommunication & Network Services customer representatives.

d. Infrastructure. Telecommunication & Network Services has ultimate responsibility for all campus communications infrastructure, including: outside plant copper, fiber, and coaxial cable; in-building copper, fiber, and coaxial cable; communications closet infrastructure, access, and security; microwave, satellite, and other point-to-point communication infrastructure; wireless design, radio-frequency use, and deployment, including cellular sites; and all other communications infrastructure. All communications infrastructure installed on campus must be in accordance with current campus standards and be approved and inspected by Telecommunication & Network Services. Unapproved infrastructure may be removed, replaced, or redesigned at the expense of the offending department. For more information please contact Telecommunication & Network Services.

e. Construction projects, remodels, and relocations. When a construction project, remodel, or relocation causes the need for additional communications infrastructure, equipment, or services, the one-time installation and capital costs shall be borne by the project and should be included in the project budget.

f. Outside vendors. All significant contracts for services provided by outside vendors should be coordinated with the director of Telecommunication & Network Services. These include but are not limited to: local and long-distance service providers, contractors and consultants, and equipment vendors. Please contact the director of Telecommunication & Network Services before negotiating with outside vendors. Telecommunication & Network Services is in the best position to coordinate and integrate the proposed products, services, and vendor relationships with existing campus telecommunication services. As with all contracts, compliance with purchasing policies (V-11) is required.

g. Consultation and training. Telecommunication & Network Services provides consultation, training, and support upon request. Customer representatives are available to answer questions regarding your existing telephone service or new service offerings available, or to help evaluate the best service options for your needs. Please contact them by phone to schedule an on-site visit or training session.

h. Billing. Departments pay monthly for telephone service. The charges include the telephone line, instrument, system features, maintenance, and repair due to normal use of the service. Departments also are charged for data connections, which includes circuit, equipment, and maintenance costs.

Repairs required due to customer misuse or abuse of University-owned equipment or customer-provided equipment will be billed on a repair time and material basis.

Long-distance charges are billed monthly and appear on monthly Transaction Detail Reports (TDRs). Reports showing details of monthly long-distance calls are maintained by TNS for up to five years and are available to departmental billing coordinators as needed. Billing coordinators, in coordination with the account reviewers and individual employees, are responsible for reasonably ensuring compliance with University policy.

Questions regarding any of these billings should be directed to Telecommunication & Network Services.

i. Personal long-distance telephone and cellular phone policy. Departments are responsible for determining when an employee needs to have access to telephone service and the type of service required in order to fulfill job responsibilities. (Types of service include: single-line phone, multiple-line phone, cellular phone, local service only, restricted long distance service, unrestricted long distance service, authorization code required to activate phone service, etc.) All costs related to such services are borne by the department. Examples of related costs may include: acquisition, installation, and ongoing fees related to use of the equipment or services.

Personal phone calls made on University equipment should be kept to a minimum. Long-distance personal phone calls are the responsibility of the employee and should not be made on University equipment. In the event an employee is abusing this policy, the employee's department is responsible for taking corrective action.

Routine personal calls are not allowed on University-provided cellular phones. (See also V-11.23 Technology Allowance Policy.)

j. Directories.

(1) The University Directory (https://www.dna.its.uiowa.edu/Whitepages/) lists contact information for students, staff, faculty, and departments.

(2) Information about how to update University Directory information can be found at https://uiowa.edu/homepage/updating-directory-info.

VI. Services

Chapter 4 – (Reserved for future use)

VI. Services

Chapter 5 – Mailing Services

(Amended 9/93; 10/94; 10/95; 5/97; 9/02; 5/05)

5.1 General

Mailing Services, a division of Business Services, provides collection and distribution of interdepartmental mail; coordinates or delivers all incoming U.S. Postal Service (USPS) mail; and processes outgoing USPS mail and United Parcel Service (UPS) parcels.

a. Application. The use of Campus Mail Service is restricted to official University business. Private Express Statutes prohibit the Campus Mail Service from receiving and/or carrying letters 1) which do not relate to current business of the University (e.g., personal letters of University faculty and staff members), 2) exchanged between non-University agencies, or 3) exchanged between students. Specific guidelines and requirements for University of Iowa Campus Mail, U.S. Postal Service, and UPS mailing procedures are provided by contacting Campus Mail Service. Questions concerning application of the policy should be referred to the Chief Human Resources Officer.

5.2 Campus Mail

a. General. Interdepartmental mail is any communication between departments and units on campus relating to official University business. Only approved "campus mail" envelopes may be used for interdepartmental mailings. Approved envelopes are available through General Stores and require no postage.

b. Instructions for use.

(1) To assure proper and timely delivery, campus mail requires a legible address containing name, department, and building address. Standard building abbreviations, found in the University directory, should be utilized in the address. Campus envelopes addressed to departments within the University of Iowa Hospitals and Clinics (UIHC) must contain the recipient's name, department, and building location.

(2) Campus mail MUST be separated from outgoing USPS mail and placed at designated collection points. USPS mail requiring postage MUST be separated from that which does not require postage.

(3) Routine campus mail service is provided free. Stops at designated pickup and delivery points are made at least one time per day.

(4) Arrangements for delivery of bulk mailings through Campus Mail must be made in advance. Bulk mailings include any mass mailing of more than 200 pieces or 50 lbs. Bulk mailings require a requisition, which should include department's mailing code number, piece count, and full mailing instructions. Failure to comply could delay processing of department's mailings. Call Campus Mail to arrange for delivery of large mailings to the Mail Center, MBSB. Campus mailings must be presented in building order. Prearranged deliveries will be completed within 24 hours of arrival at the Mail Center.

5.3 U.S. Mail

a. Delivery. U.S. mail is delivered to campus mail addresses by Campus Mail Services, as well as the U.S. Postal Service (USPS). USPS standard campus addresses, found in the University directory and on the Mailing Services website, will expedite delivery of incoming USPS mail and should be utilized only for official University business correspondence. Campus Mail Service will make every effort possible to deliver USPS mail containing incomplete delivery addresses. Incomplete campus addresses may cause delivery delays.

b. Outgoing U.S. mail.

(1) Campus Mail Service processes outgoing official University business USPS mail from University departments. Material to be mailed through USPS may be placed in designated pickup locations and must contain information on desired mailing class and must have attached the appropriate departmental mail card utilized for recording postage costs. The use of University postage for personal mail is prohibited.

(2) Packages to be mailed through USPS must be securely and properly wrapped and address-labeled. All outgoing packages must contain information on desired mailing class and have attached the appropriate department mail card utilized for recording postage costs.

(3) All postcards, letters, flats, large envelopes, packages, international items, and special services items must contain information on the desired mailing class and must have attached the appropriate departmental mail card utilized for recording postage costs. Postage costs for USPS mail processed through the Central Mail Service Center will be charged to the appropriate departmental account. All mail must be prepared in a proper manner for mailing.

5.4 Parcel and Express Shipping

a. Campus Mail has daily pickup for parcels, express letters, and packages. Size and weight limitations exist for parcel and express shipments. Please contact Central Mail Services for further information.

b. UPS shipments may be sent through Mailing Services' UPS web shipping system. All packages must contain a package I.D. number written clearly on the top of the package.

c. Notify Campus Mail Services when large packages or a number of packages will need to be picked up.

5.5 Student Use of Campus Mail

a. General rule. Campus Mail cannot receive and/or carry letters exchanged between students. Private Express Statutes strictly prohibit personal correspondence such as greeting cards, invitations, political flyers, books, posters, or announcements for Campus Mail.

b. Exception. The University of Iowa Student Government (UISG), collegiate governance organizations, and the Associated Residence Halls (ARH) may use Campus Mail for official University business. These are the only student organizations authorized to use Campus Mail.

5.6 Bulk Mail Service

(Amended 9/98; 5/05)

a. General. Bulk Mail Services processes large-volume mailings for intra-campus or USPS distribution.

b. Addressing. Customers can have their address data files sent to Bulk Mail from files stored on the ITS–Administrative Systems mainframe, send their address data files using

the File Envoy service available through the Printing Department website, email an address file attachment to central-mail@uiowa.edu, or send CDs or diskettes containing address files from their own systems to Bulk Mail via Campus Mail. Address files prepared in this manner will be processed on Mailing Services' Video Jet System.

c. Four-up heat-activated labels are no longer being used by Bulk Mail. Please contact Bulk Mail for alternative labeling options.

d. Faculty, staff, and student mailings. ITS maintains a current campus and home address record of all faculty and staff. Many options are available such as selection by any or all of the following criteria: payroll code, class rank, home zip code, department, building. Student name and address files provide local address, mailing address, and parent address. A variety of selection criteria for mailing to subsets of the student body also are available. Requests for use of the Payroll file is subject to approval by the Mailing Services Manager. Use of the student file requires prior approval from the Registrar's Office.

e. Services. Bulk Mail provides a variety of mailing services, including: folding, inserting, sealing, metering, collating, bursting, tabbing, address list cleansing, hand inserting, and video jet ink processing. Mailing Services also maintains a nonprofit bulk mail permit that may be used by any University department, provided their mailing meets the following requirements:

(1) The mailing is for a department and not for an organization or individual.

(2) There must be a minimum of 200 identical pieces, or 50 lbs.

(3) The mail piece MUST contain the department's complete return address and THE UNIVERSITY OF IOWA in the upper left-hand corner.

(4) Permit imprint must be printed in upper right-hand corner, or space must be available to allow postage to be affixed to the mail piece.

(5) Bulk mailings which are prelabeled must be in zip code order and include a requisition that indicates specific mailing instructions, the department's mail code number, and the total mail piece count.

If your mailing differs from these criteria, contact Bulk Mail Service. Permit imprint mailings may also include for-profit bulk mailings. Contact Bulk Mail for information regarding the wording of the permit if having it printed.

Bulk Mail Service does process already-prepared mailings from other departments using either the Center's permit or the department's own. If needed, postage can be applied by metering, provided the mail piece is machine-able.

University requisitions are needed for all bulk mailings. Charges for mailing services are determined on a per-piece basis for the different machines used. Cost estimates can be provided. Cost estimates are provided free at any time. For information on Alumni Mailings, see II-23.

(See also V-9 Fund Solicitation Policy.)

VI. Services

Chapter 6 – (Reserved for future use)

VI. Services

Chapter 7 – Facilities Management

(Amended 9/93; 10/94; 9/97; 6/01; 10/04; 6/11)

7.1 General

Facilities Management (FM) is responsible for the maintenance and operation of general fund-supported academic and administrative support buildings, most campus grounds, and all utility systems. It also is responsible for the design and construction of non-hospital campus buildings, utility systems, and landscape improvements.

Requests for services or projects are initiated via the FM Req online process. More information and links to the forms are available via Facilities Management at http://facilities.uiowa.edu.

7.2 Service Divisions

Facilities Management contains the following service units:

a. Building and Landscape Services is dedicated to campus building and landscape physical asset stewardship, which includes cleaning for health and safety, and service as needed and on request.

b. Utilities and Energy Management is responsible for the planning, production, and distribution of electricity, steam, water, and chilled water; maintaining the plants and distribution systems; maintaining the University-owned storm and sanitary sewers; and energy conservation initiatives, energy management tools and monitoring, renewable energy, and commissioning.

c. Planning, Design, and Construction provides services related to the physical development of the campus, including campus planning, architecture and interior design, construction management, environmental services, mapping, and space planning and utilization.

d. Facilities Management also includes the following units: Administration; the Office of Sustainability, which provides central administration, connections, and outreach for university-wide sustainability initiatives; and Business and Financial Services, which provides administrative support for all units of Facilities Management through budgeting, accounting, capital accounting, human resources, information technology, and maintenance stores.

VI. Services

Chapter 8 – (Reserved for future use)

VI. Services

Chapter 9 – General Stores

(Amended 9/93; 7/98; 3/10)

9.1 General

General Stores is a part of the Business Services Department, which also includes Central Receiving, Copy Centers, Laundry, Mail and Print Services, and University Surplus.

9.2 University Supplies

General Stores serves all departments of the University with a wide variety of quality supplies. Items available through General Stores include office and classroom supplies; hardware, printer, and copy machine supplies; and custodial supplies.

9.3 Commercial and Specialty Cylinder Gas

Also offered are cylinder gases, both commercial and specialty- or research-grade, and dry ice service. Gas regulators and fittings are stocked.

9.4 Office Supplies Contract

In addition to over 1,000 regularly stocked items, General Stores also offers more than 40,000 office supplies available on a next-day delivery schedule through their office supply contract.

9.5 Trucking and Hauling Services

Hauling and trucking services are available to all departments on request. General Stores also operates a centralized freight receiving and forwarding service to and from all campus points.

9.6 Catalogs

Catalogs are available that fully illustrate and list all items and current pricing as offered through General Stores.

VI. Services

Chapter 10 – (Reserved for future use)

VI. Services

Chapter 11 – University Parking and Transportation Department

(Amended 12/05; 12/06; 11/09)

11.1 General

The Department of Parking and Transportation offers a wide range of services that provide access to and mobility within the University of Iowa campus. These services are offered to faculty, staff, students, patients, visitors, and to other members of the general public. The department consists of three separate divisions: Parking, Cambus, and Fleet Services (see V-19). All divisions report to the Director of Parking and Transportation, who also advises on institutional roads, campus planning and land use, strategic property acquisition, and other transportation-related issues. The department is structured organizationally under the Senior Vice President for Finance and Operations and is administratively responsible to the Assistant Vice President for Business Services.

Departmental policies are reviewed by a University charter committee known as the Parking and Transportation Committee (see I-2.8(16)). This body advises on fees, regulations, planning, and other policies that may govern the department.

11.2 Parking

Parking administers and operates 15,000 parking spaces in more than 100 on-campus parking lots and structures, including cashiered and metered facilities for use by patients and visitors as well as facilities assigned for use by faculty, staff, and students. Most campus parking facilities are designated as multi-use and serve routine daily access needs as well as special events on nights and weekends. Parking activities are managed through three units: Parking Services, Parking Facilities Operations, and Commuter Programs.

a. The Parking Services office, located in the IMU Ramp with a branch in Hospital Ramp 2, manages the distribution, sale, and billing of faculty, staff, and student permits, bus passes, and related services, and provides parking enforcement through its Field Services operation.

b. The Parking Facilities Operations office provides facility and equipment maintenance, cashiering, meter collection, and cleaning services from its offices in Hospital Ramp 2.

c. Commuter Programs manages the van pool, bus pass, car pool, and car pool matching programs from its location in Hospital Ramp 2.

11.3 Cambus

The department also operates the public transit system called Cambus, a 32-bus intracampus transit system that provides fixed-route shuttle service throughout the main campus as well as a connection with the Oakdale campus. Cambus services do not require a boarding fare or pass, and are available to the general public. Cambus also provides a demand-response transportation service, the Bionic Bus, for qualifying persons with disabilities. In addition, special transportation services are provided for many University activities, including athletic events and orientation. All vehicles are accessible to persons with disabilities. The Cambus Office is located on Stadium Drive immediately west of Kinnick Stadium.

11.4 Fleet Services

The purpose of the division of Fleet Services is to provide and manage vehicles for University use. Fleet Services achieves this by leasing vehicles to departments on a long-term basis or renting vehicles on a short-term basis. Fleet Services also has a vehicle maintenance facility, a fueling facility, and cell phone rental on a short-term basis. It is located at 155 West Harrison Street.

VI. Services

Chapter 12 – Recharge Centers

Recharge Centers are established for the purpose of providing goods and services to University customers. The centers offer goods and services that are unique, convenient, or not readily available from external sources. University departments intending to establish a recharge center must submit a written request to the Business Office for approval. The rates charged for goods and services are set to break even and must be charged uniformly to all university customers.

Refer to the Recharge Center Policies and Procedures Document located at the following web address: https://uiowa.edu/audit/recharge-centers.

VI. Services

Chapter 13 – The University of Iowa Pharmaceuticals

(Amended 9/93; 10/95; 3/09; 3/11)

13.1 General

The University of Iowa Pharmaceuticals is a division of the College of Pharmacy and is registered with the federal Food and Drug Administration as a drug manufacturer. UI Pharmaceuticals manufactures specialty drug products for The University of Iowa Hospitals and Clinics, for all other University of Iowa departments, and for other approved non-University of Iowa organizations. UI Pharmaceuticals also supplies general use drugs, chemicals, and solvents to colleges and departments of The University of Iowa and all other Board of Regents Institutions.

13.2 Requisitions

For routine orders, a properly completed and authorized requisition is required. It is recommended that the requisition be sent through campus mail to the UI Pharmaceuticals office. Please allow 24 hours to complete the order. Emergency orders may be completed the same day if brought to the office or to the warehouse.

13.3 Delivery

Departments requisitioning materials from UI Pharmaceuticals bear the cost of delivery, which is made by General Stores. General Stores bills departments directly for delivery charges and questions concerning these charges should be directed to the General Stores office.

13.4 Ethyl Alcohol

(Amended 3/11)

Ethyl alcohol is available tax-free for research purposes and can be ordered through UI Employee Self Service, using the Purchasing Department's Preqs-Inventory Catalog order system. To order from the catalog, users must first request catalog access by submitting an online Access Request Form from the Preqs main menu. In addition to the Access Request Form, the requestor/department head must complete and submit an Alcohol Statement of Use form, which can be obtained from UI Pharmaceuticals or from the e-forms directory. When both forms have been approved by UI Pharmaceuticals and Purchasing, orders can be placed and the procedure is similar to that used in orders for General Stores, OfficeMax, or Processed Stores.

Orders need to be received by 8 a.m. Wednesday for delivery/pick-up the same week. Deliveries to requestors/departments within the health sciences complex (e.g., UIHC, DSB, BSB, MERF, EMRB, ML, CBRB, etc.) will be made by UI Pharmaceutical staff. Deliveries outside the health sciences complex will be made by General Stores according to driver/schedule availability. Pick-up orders are available between 9:30 a.m. and 3:30 p.m. Wednesday or by special arrangement.

13.5 Drugs

Drugs (Legend, HR2, Narcotics) are available for research purposes providing the proper requisition has an authorized signature (M.D., D.D.S., or D.V.M.).

13.6 Solvents (Acids and Bases)

UI Pharmaceuticals has responsibility for warehouse storage of volatile solvents, acids, and bases as well as ethyl alcohol. A specially designed storage area conforms to all safety requirements as specified by the state and federal laws and regulations.

13.7 Special Services

The University of Iowa Pharmaceuticals is registered as a drug manufacturing facility with the federal Food and Drug Administration. Within this capacity, UI Pharmaceuticals is able to provide development, production, and analytical services for a broad range of pharmaceutical dosage forms. These services are primarily limited to Investigational New Drugs and New Drug Applications, as registered with the federal Food and Drug Administration, and are not available for commercial use.

13.8 Billing

All University billing is handled through the University Business Office according to the University business procedure.

VI. Services

Chapter 14 – Iowa Memorial Union

(Amended 9/93)

14.1 General Purpose

The facilities of the Iowa Memorial Union, including hotel/guest rooms, dining facilities, and meeting rooms, shall be principally for the use of students, faculty, staff, alumni, and guests of the University who are here on official business. Facilities will be available to others when the needs of the above groups are met.

14.2 Other Uses

Meetings of civic, service, fraternal, or tour groups may also be scheduled for meetings and/or events to include the use of dining and guest room facilities in the Iowa Memorial Union.

14.3 Scheduling

Scheduling of meetings and events will be handled by the Events Planning Team, which is chaired by the Event Services Manager and includes the Iowa House Manager, the Catering Manager, and the Marketing Manager. There will be no additional charges for the services of this team which include arrangements for registrations, parking, hotel and meeting rooms, marketing and graphics for brochures, audio visual equipment, food service, and billing/payment services.

14.4 Alcoholic Beverages

It shall be the policy of the guest house that alcoholic beverages shall be used in compliance with local and state laws governing the use of alcoholic beverages.

14.5 Requisition Required

Goods and services provided to University departments and student organizations by the Iowa Memorial Union for which a requisition is required are dining services, use of the guest rooms, and rental and set-up charges for special events. A requisition from the department for such goods and services must be on file with the Union before final confirmation of arrangements can be made.

VI. Services

Chapter 15 – Center for Conferences

(President 12/10/76; amended 9/93; 10/04; 12/05; 3/10)

15.1 General

The Center for Conferences is the principal agency of the University responsible for conducting, coordinating, and providing supporting services for conferences, institutes, short courses, and similar non-credit programs for nonresident adult groups. The staff of the Center for Conferences assists in planning conferences held locally, regionally, nationally, or internationally at the request of the sponsoring department.

15.2 Conference Policy

a. The primary purpose of a University conference is to provide a learning experience or professional development at meetings of university level, not to conduct organizational business, hold conventions or sales meetings, elect officers, or pass public resolutions. The program must be essentially educational in nature and academically acceptable to the University sponsor. The conference must be sponsored by an academic division or administrative unit of the University or, if interdisciplinary, the Director of the Center for Conferences, and an appropriate part of the program should be conducted, organized or approved by faculty members or staff of The University of Iowa. The conference should be planned cooperatively by representatives of the group being served, the sponsoring academic division of the University, and, when requested, the Center for Conferences. In all instances, the program is to be designed specifically to meet the educational needs of select groups who desire to expand their personal or professional knowledge. Because of the academic and financial responsibility of the University, all agencies planning a University conference are to be guided by the following:

    (1) The representatives of the group being served are responsible for identifying and describing the interests and purposes of those who desire to hold a conference.

    (2) The sponsoring division of the University is responsible for the content of the program and for the recruitment of conference speakers and discussion leaders from the University faculty and other sources. The sponsoring unit is also responsible for developing a budget (see III-17.13), collecting fees, depositing fees and subsidies to appropriate University accounts; and making payments of conference costs. The Center for Conferences is prepared to assist departments in the performance of developing a budget (see III-17.13); collecting fees and depositing fees and subsidies to appropriate University accounts; making payments of conference costs; and in the planning and administration of the conference.

    (3) The dean of the Division of Continuing Education is responsible for approving the conference budget and approving additional compensation for University personnel.

    (4) Degree Credit, Certificates, and CEU Award. If degree credit is to be granted, the offering must be approved through the procedures of the college concerned, the Registrar, and others as appropriate. The Center for Conferences provides Certificates of Attendance when requested by the conference chairperson. Certificates of Achievement, Certificates of Merit, or other certification, if appropriate, may be authorized with the approval of the sponsoring academic division of the University. General CEUs may be applied for through the Center for conferences. CEU application, approval, award, and cumulative record-keeping are responsibilities held by the Center for Conferences.

15.3 Initiating a University Conference

Any University staff member or any representative of an outside organization wishing to hold a University conference for an off-campus group should contact the Director of the Center for Conferences, 250 Continuing Education Facility, conferences@uiowa.edu. Once it is established that the purpose, goals, and educational objectives of the proposed conference are in accord with the approved policies for a University conference, the Director of the Center for Conferences will initiate procedures for budgetary and additional compensation approval.

VI. Services

Chapter 16 – (Reserved for future use)

VI. Services

Chapter 17 – (Reserved for future use)

VI. Services

Chapter 18 – University Libraries

(10/94; amended 10/03; 11/06; 1/10; 3/17)

18.1 General

The University of Iowa Libraries (www.lib.uiowa.edu) provides leadership in the creation, transmission, and preservation of knowledge to advance intellectual discovery and encourage lifelong learning. The University Libraries holds collections in various formats, including books, audio, film, multimedia, and microforms. The libraries provide access to a growing collection of electronic resources, including full-text journals. Most collections are open for browsing by all University community members; others are available upon request.

18.2 Organization and Description

a. The University Libraries system consists of the Main Library, the Hardin Library for the Health Sciences, and several branch libraries. The Main Library serves as the principal repository for the social sciences and the humanities. Located within this building are various special collections, including:

(1) A depository for U.S. federal, United Nations, European Union, and State of Iowa publications; many additional state, foreign, and international publications; and statistical and other resources in paper, microform, and electronic formats.

(2) A map collection of aerial photographs, state and foreign atlases, electronic mapping programs, and other cartographic resources.

(3) Special collections of unique, rare, and valuable books, documents, and other collections. Rare books range in age from the 15th century to newly created artists' books and include 4,000 "miniatures" less than three inches tall. There also are manuscript collections ranging from medieval to modern. The Iowa Authors Collection contains work of writers associated with the State of Iowa. The libraries' special collections are especially strong in the French Revolution, the Civil War, the culinary arts, political cartooning, and film and television screenwriting and production (www.lib.uiowa.edu/spec-coll).

(4) Archives of The University of Iowa: publications, building plans, campus maps, photographs, catalogs and yearbooks, directories, student newspapers, programs of lectures, dramatic performances, athletic events, and personal papers.

(5) The Louise Noun-Mary Louise Smith Iowa Women's Archives, which collects, organizes, describes, and preserves personal papers, manuscripts, and organizational records pertaining to Iowa women. The archives also serve as a resource to stimulate and nourish creative teaching and learning through its collections and outreach programs (www.lib.uiowa.edu/iwa).

(6) Media collections, consisting of non-print materials such as newspapers, videotapes, DVDs, audio cassettes, and records. Film subjects range from documentaries to feature-length and foreign language films.

(7) The East Asian Collection, which acquires materials in all formats in support of the East Asian Studies programs and research at the University. It contains materials primarily in Chinese, Japanese, and Korean, with a focus on the humanities and social sciences.

b. The Hardin Library for the Health Sciences collects and provides access to current literature in health sciences-related areas (www.lib.uiowa.edu/hardin). The John Martin Rare Book Room offers an outstanding collection on the history of medicine.

c. The branch libraries (www.lib.uiowa.edu/locations/locations) serve the sciences, the fine arts, and business.

d. The Law Library is independent of the University Libraries system and is administered by the College of Law.

18.3 Collection Services

a. The University Libraries divides responsibility for building the libraries' collections (www.lib.uiowa.edu/collections) among a number of librarians, each of whom is responsible for selecting library materials on one or more subject areas. It is the function of these collection management librarians to determine which books, periodicals, videotapes, electronic resources, computer files, and other information sources should be acquired by the libraries. Selection decisions that fall under the purview of collection management librarians include decisions to purchase a resource, to subscribe to a periodical or database, to accept a gift in kind, to request that an Internet resource be cataloged or otherwise made available through University Libraries' web pages, to remove or "weed" materials from the collection, and to cancel subscriptions. These decisions are made in each case on the basis of the collection management librarians' knowledge of current curriculum needs, faculty research interests, research trends in the relevant subject areas, and the strengths and weaknesses of the collections already in place. Communication between the collection management librarians and faculty is essential for the librarians to have the information necessary for their decisions.

b. The general criteria used by collection management librarians for the acquisition of library materials at The University of Iowa Libraries are listed below in priority order:

(1) curriculum support;

(2) standard source availability (i.e., standard or "core" materials on subjects studied at the University);

(3) faculty research support;

(4) graduate student research support;

(5) subject representation (i.e., representative materials on major trends in scholarship);

(6) collection continuity (i.e., maintenance of strong existing collections); and

(7) inter-institutional agreements (i.e., agreements with other academic libraries to assume responsibility for collections in particular subject areas).

c. In selecting and making available information resources, the libraries will comply with copyright law and with the provisions of any licenses that are signed on behalf of the University. The libraries will take reasonable measures to promote copyright and license compliance among its users. The selection of a resource that requires the University to agree to a license is contingent on the acceptability of the license provisions. Within the University Libraries, the acceptability of a license is determined by the Director of Collections or that person's designee; approval of licenses falls under the jurisdiction of the University's Director of Purchasing.

d. In selecting and deselecting information resources, the libraries fully subscribe to the Library Bill of Rights (www.ala.org/advocacy/intfreedom/librarybill) issued by the American

Library Association. Among other rights, this statement affirms that no materials should be excluded because of the origin, background, or views of its creators, that materials selected should reflect all points of view on current and historical issues, and that censorship should be challenged.

18.4 Reference and Library Instruction

a. University Libraries staff are actively engaged in a comprehensive instructional program (www.lib.uiowa.edu/instruction), which promotes the development of critical thinking and research skills through a variety of services. Librarians collaborate with faculty members to provide in-class instruction tailored to complement course content. In addition, librarians have developed a credit-bearing course, Library Research in Context, which links research skills to courses in the major. Special information skills workshops are developed for groups such as new international students and students enrolled in a variety of summer preparatory programs. Interdisciplinary research seminars are offered for graduate students and faculty. Library staff provide instructional handouts, web-based tutorials, and course-related resource pages.

b. Reference and information services are available at several locations in the Main Library, at all of the branch libraries, and at Hardin Library for the Health Sciences. In addition to walk-in services, faculty, staff, and students can receive reference and information assistance via telephone, email, and Internet chat services (www.lib.uiowa.edu/ref).

c. Librarians provide a free research consultation service to University of Iowa faculty, staff, and students. This service is customized for the individual user and provides access and direction to research materials that pertain to the user's specific project or thesis.

18.5 Access Services

a. Most University library materials can be checked out of the libraries by University community members; lengths of check-out times vary according to types of materials and user status. Materials which do not circulate can be used within the various libraries where they are housed (www.lib.uiowa.edu/services/circ).

b. All of the University Libraries — Main Library, the branch libraries, and Hardin Library for the Health Sciences — provide reserve collections in support of classroom teaching (www.lib.uiowa.edu/services/courseres).

c. Access to materials not held by University Libraries may be arranged through Interlibrary Loan services provided by the Main Library and Hardin Library for the Health Sciences (http://www.lib.uiowa.edu/services/illdd). University Libraries maintains consortial agreements with the State of Iowa Regents libraries, the National Library of Medicine's Regional Medical Library Network, and the Big Ten Academic Alliance (Big Ten institutions and the University of Chicago).

d. Access to materials held off-site at the Libraries Annex, a high-density storage facility with capacity of up to 4.8 million volumes, is available by placing a request through the library catalog and requesting delivery to a campus office or for pick-up at an on-campus library.

VI. Services

Chapter 19 – Educational Materials for Classroom Use

(Amended 1/14)

Educational materials, including textbooks, reference and study aids, software, audio, video, online access codes, and digital materials that are to be used in the classroom and sold to students, can be requested through the Iowa Hawk Shop/University Book Store. University policy prohibits the sale of any classroom educational materials to students by faculty, staff, or departments. The Iowa Hawk Shop/University Book Store is located in the Iowa Memorial Union. Requests for Educational Material(s) are accepted at the store by telephone, mail, email, and on the website www.hawkshop.com throughout the year, though requests generally are due in April for summer and fall semesters and in October for spring semester. The store can provide information on material(s) selection, availability, alternatives, and price, in addition to publisher and desk copy information. Students may purchase educational materials at the stores, by mail or telephone, on the website www.hawkshop.com, or through other special arrangements with the store. The Iowa Hawk Shop/University Book Store is also an Apple Authorized Campus Store and service provider.

VI. Services

Chapter 20 – The University of Iowa Press

(Amended 9/93; 9/02)

20.1 General

The University of Iowa Press is the book publishing agency of the University, established to publish significant results of scholarship and research, including fine regional titles, and contemporary poetry, short fiction, and literary nonfiction. The imprint is controlled by the University Board, made up of faculty members appointed by the Vice President for Research, who serves as an ex officio member of the Board. The Director of The University of Iowa Press also serves ex officio on the Board.

20.2 Manuscripts

See https://www.uipress.uiowa.edu for subject areas and manuscript submission guidelines.

VI. Services

Chapter 21 – Printing Department

Amended 9/93; 3/95; 9/97; 9/98; 10/04; 3/17

21.1 General Purpose

The University provides its departments and related units with services to meet official printing and photocopying needs. This service is provided by the Printing Department, which administers University printing through its own facilities and by securing services off campus as needed.

The Printing Department insures that printing done outside the University be subcontracted on the basis of competitive bids. Thus, all printing and printing-related work, including photocopying, is done on order from the Printing Department. The Printing Department also provides consultation about departmental needs for copying equipment and oversees the leasing and purchasing of such equipment.

The Copy Centers system, with satellites throughout the campus, is part of the Printing Department. This service, like other printing-related services, is available to faculty, staff, and students for projects related to University business and course work.

21.2 Policy for Copy Centers: Copying Copyrighted Materials

a. Anyone wanting to have copies of copyrighted materials made at campus Copy Centers must complete the requisite form identifying the work to be copied and its intended uses. Faculty are free to have unlimited copies of their own copyrighted work. Otherwise, verification of permission is required or limited copies will be made for research and classroom use in accordance with the "Agreement on Guidelines for Classroom Copying in Not-For-Profit Educational Institutions with Respect to Books and Periodicals."

b. The Copy Centers will make copies for customers certifying that the work(s) to be copied falls within the "fair use" exception to the 1976 Copyright Act. The relevant forms must be signed by the faculty, staff, or student for whom copies are being made, prior to the Copy Centers making any copies of documents.

c. Anthologies (compilations of printed materials from books and articles from periodicals) that may be used as a course text and/or course packets must go through a copyright clearance center process, either through the UPAC copyright service at the IMU Book Store (see also VI-19 Educational Materials [Textbooks] for Classroom Use), or through similar services outside the University prior to being reproduced.

VI. Services

Chapter 22 – Custom Publishing

Custom published supplementary educational materials can be assembled for faculty members by the Copyright and Custom Publishing Division of the University Book Store, located in the Iowa Memorial Union.

Custom Publishing provides a copyright permission service which serves as the liaison between faculty and publishers in obtaining permission to copy. The service makes necessary payments and keeps records on all course packets (U*PACS).

The Custom Publishing Division is in partnership with University's Copy Centers. Both can assist faculty with all aspects of creating a course packet.

A course packet (U*PACS) can contain any of the following: original works; lecture notes; articles from journals/periodicals; out-of-print materials; case studies; graphs; maps and diagrams; research and lab manuals; government documents; practice exams; study guides.

The U*PACS can be sold in the University Book Store along with other required course materials. It is University policy that sales to students by faculty or staff of any department are prohibited.

VI. Services

Chapter 23 – UI Employee Assistance Program

(Amended 3/02; 7/03; 10/04; 8/06; 7/09; 8/11; 6/12; 4/14; 10/15)

23.1 General

(Amended 8/11; 4/14; 10/15)

The UI Employee Assistance Program (UI EAP) provides confidential counseling and referral services to faculty, staff, and their family members to promote emotional well-being and to increase engagement and productivity among members of our UI community. The types of problems for which a client could expect assistance include: job stress and conflicts, relationship and personal issues, family and parenting concerns, sleep difficulties, alcohol dependency, other addictions, information on debt management resources, as well as many other concerns.

23.2 University of Iowa Employee Assistance Program (UI EAP)

(Amended 8/11; 4/14; 10/15)

The University of Iowa Employee Assistance Program offers the following services:

a. Brief, confidential counseling: The program provides up to four free sessions a year for a wide range of personal and work-related concerns. Clients who could benefit from additional services are referred to other University, community, regional, or national service providers. If there are fees for these additional services, the client assumes responsibility for payment. See https://hr.uiowa.edu/uieap/counseling.

b. Information and referral: UI EAP maintains an extensive network of additional referral resources and general information. If assessment reveals that more than brief counseling services are needed to resolve the client's problems, UI EAP can assist with identifying an ongoing provider or appropriate resource.

c. Supervisory consultation: UI EAP provides consultation to supervisors, leaders, and Human Resources Representatives as they address behavioral health needs of faculty and staff. Supervisors may contact a counselor simply to discuss their observations and concerns; to explore options with an understanding, nonjudgmental third party; and to seek specific advice in planning a constructive approach to solve or cope with a problem situation. See https://hr.uiowa.edu/uieap/referrals.

   For concerns about violence-related behaviors, please see the Threat Assessment Program at https://hr.uiowa.edu/tat.

d. Educational and prevention programming: UI EAP staff offers a variety of educational opportunities to enhance engagement and productivity and to help ensure a safe and respectful work environment. UI EAP offer programs for persons seeking information about our services, how to enhance the emotional well-being of faculty and staff, sleep, resilience, and how to address drug or alcohol abuse problems in the workplace. To schedule an appointment, contact the UI Employee Assistance Program, 121-50 University Services Building.

23.3 Supervisory Referral

(Amended 8/11; 4/14; 10/15)

When a supervisor has a concern about the emotional well-being of an employee, the supervisor is encouraged to provide the employee with information about the resources that are available to assist the troubled employee, along with UI EAP contact information. The supervisor may assist with the scheduling of an appointment if the employee is present and requests assistance.

a. Good faith. Supervisory referrals should be made in good faith as a way to provide assistance to a troubled employee and must be based upon fair and reasonable observation and evaluation of the employee in question. If disciplinary action is indicated, such action should also be taken. Referral to UI EAP is not a substitute for performance management.

b. Voluntary participation. Participation in UI EAP is entirely voluntary. A supervisor may suggest UI EAP as a resource for an employee, but may not refer an employee as a condition of continued employment.

c. Confidential. All visits with the UI EAP counselors are confidential. With the client's written release, the UI EAP counselor can notify the supervisor that the employee followed through on the referral. No other information is released unless the employee requests and signs consents to do so.

23.4 (Reserved for future use)

23.5 Confidentiality

(Amended 8/11; 4/14; 10/15)

The UI Employee Assistance Program adheres to strict ethical guidelines pertaining to client confidentiality. It is, however, necessary to recognize that the state's mandatory reporter law provides for exceptions to this rule in particular situations. For example, an Employee Assistance Program counselor is required by law to report child and dependent adult abuse, and to take action if a client poses clear and imminent danger to self and/or others, or in the case of a subpoena or court order.

23.6 Job Security

(Amended 10/15)

An employee's participation in the UI EAP shall not jeopardize job security or promotion, tenure, or scholarly opportunities. Employees participating in the program will expect no special privileges or exemptions from University regulations.

23.7 Disciplinary Process

(Amended 10/15)

The UI EAP is wholly independent of University disciplinary proceedings. The program is nonpunitive and employee participation is entirely voluntary. Employees are protected from retaliation for participating.

23.8 Release Time from Work

(Amended 8/11; 6/12; 10/15)

Employees may request release time from work for the initial UI EAP evaluation appointment. For subsequent appointments, employees may use available sick leave or vacation time as provided for in III-22.3 and III-23.2. Employees scheduled to work the third shift may schedule appointments during regular UI EAP office hours. Appointments may be requested by emailing eaphelp@uiowa.edu.

23.9 Payment for UI EAP

(Amended 6/12; 4/14; 10/15)

There will be no charge for assistance offered through the UI EAP. When the employee pursues a referral recommended by the UI EAP counselor, he or she is responsible for fees which may be charged by the service provider to whom he or she was referred. In cases of medical necessity, health insurance often provides some coverage. Employees are not eligible for overtime pay when attending UI EAP appointments.

23.10 Eligibility

(Amended 5/99; 4/14; 10/15)

These categories of regular full-time and part-time (50 percent or more) staff members are eligible for services provided by UI EAP:

a. Faculty,

b. Professional and scientific staff,

c. Merit system staff,

d. Immediate family members (spouse, domestic partner, dependent children) of eligible University of Iowa employees, who may or may not be employed by the University.

Services are provided to the above-listed employees 90 days beyond their last date of employment with the University to include if the employee has been terminated.

VI. Services

Chapter 24 – Career Services for Students

(Amended 5/99; 5/13)

24.1 General Purpose

(Amended 5/13)

The University maintains a centralized model of career services through the Pomerantz Career Center serving the College of Liberal Arts and Sciences, Tippie College of Business, College of Education, College of Engineering, College of Nursing and in other areas provided by professional staff. The University finds that students are best served when provided the widest range of career options and that individuals should be allowed to decide for themselves which career path to follow, including choosing a major and finding internships and full-time employment. To assist them in making career choices, students are provided open access to the Pomerantz Career Center. The center assists students in choosing a major, choosing a career, and finding internships and full-time employment. The center also provides employment data, employer information, and salary information for various careers to assist students and alumni with employment decisions.

24.2 Interviewing Facilities

Along with its placement services, the University makes interviewing facilities available to employers who wish to offer career opportunities to University students. To assist students in making informed choices, current information about specific employers' entry requirements, advancement opportunities, compensation, working environments, and other relevant information is made available to students in the various collegiate placement facilities.

24.3 Principles of Professional Practice for Employment Professionals

(Amended 5/99; 5/13)

Employers and their representatives are expected to adhere to equal opportunity employment practices and the University's Human Rights policy subject to federal law in arranging and conducting interviews on campus, and the University endorses affirmative action practices by employers who visit the campus (see II-1–8 Human Rights, Affirmative Action, and Equal Employment Opportunity). All of the University placement services adhere to, and expect visiting employers to adhere to, the National Association of Colleges and Employers' principles of professional standards for employment professionals and third-party recruiters. These principles include:

a. Employment professionals will refrain from any practice that improperly influences and affects acceptances. Such practices may include undue time pressure for acceptance of offers and encouragement of revocation of another offer. Employment professionals will strive to communicate decisions to candidates within the agreed-upon time frame.

b. Employment professionals will have knowledge of the recruitment and career development field as well as the industry and the employing organization that they represent, and work within a framework of professionally accepted recruiting, interviewing, and selection techniques.

c. Employment professionals will provide accurate information on their organization and employment opportunities. Employing organizations are responsible for information supplied and commitments made by their representatives. If conditions change and require the employing organization to revoke its commitment, the employing organization will pursue a course of action for the affected candidate that is fair and equitable.

d. Neither employment professionals nor their organizations will expect, or seek to extract, special favors or treatment which would influence the recruitment process as a result of support, or the level of support, to the educational institution or career services office in the form of contributed services, gifts, or other financial support.

e. Serving alcohol should not be part of the recruitment process on or off campus. This includes receptions, dinners, company tours, etc.

f. Employment professionals will maintain equal employment opportunity (EEO) compliance and follow affirmative action principles in recruiting activities in a manner that includes the following:

    (1) Recruiting, interviewing, and hiring individuals without regard to race, color, national origin, religion, age, gender, sexual orientation, veteran status, or disability, and providing reasonable accommodations upon request;

    (2) Reviewing selection criteria for adverse impact based upon the student's race, color, national origin, religion, age, gender, sexual orientation, veteran status, or disability;

    (3) Avoiding questions that are considered unacceptable by EEO guidelines for fair employment practices during the recruiting process;

    (4) Developing a sensitivity to, and awareness of, cultural differences and the diversity of the work force;

    (5) Informing campus constituencies of special activities that have been developed to achieve the employer's affirmative action goals;

    (6) Investigating complaints forwarded by the career services office regarding EEO noncompliance and seeking resolution of such complaints.

g. Employment professionals will maintain the confidentiality of student information, regardless of the source, including personal knowledge, written records/reports, and computer databases. There will be no disclosure of student information to another organization without the prior written consent of the student, unless necessitated by health and/or safety considerations.

h. Those engaged in administering, evaluating, and interpreting assessment tools, employment screening tests, and technology used in selection will be trained and qualified to do so. Employment professionals must advise the career services office of any test/assessment conducted on campus and eliminate such a test/assessment if it violates campus policies or fair employment practices. Employment professionals must advise students in a timely fashion of the type and purpose of any test that students will be required to take as part of the recruitment process and to whom the results will be disclosed. All tests/assessments will be reviewed by the employing organization for disparate impact and position-relatedness.

i. When using organizations that provide recruiting services for a fee, employment professionals will respond to inquiries by the career services office regarding this relationship and the positions the organization was contracted to fill. This principle applies equally to any other form of recruiting that is used as a substitute for the traditional employer/student interaction. These principles apply to organizations providing such services.

j. When employment professionals conduct recruitment activities through student associations or academic departments, such activities will be conducted in accordance with the policies of the career services office.

k. Employment professionals will cooperate with the policies and procedures of the career services office, including certification of EEO compliance as well as compliance with all federal and state employment regulations.

l. Employment professionals will only post opportunities that require college-educated candidates, in a manner that includes the following:

(1) All postings should adhere to EEO compliance standards;

(2) Job postings should be suitable and appropriate for candidates from the target institution;

(3) Internship postings should meet the NACE definition and criteria for internships.

m. Employment professionals will honor scheduling arrangements and recruitment commitments.

n. Employment professionals recruiting for international operations will do so according to EEO and U.S. labor law standards. Employment professionals will advise the career services office and students of the realities of working in the foreign country and of any cultural or employment law differences.

o. Employment professionals will educate and encourage acceptance of these principles throughout their employing institution and by third parties representing their employing organization on campus, and will respond to reports of noncompliance.

VI. Services

Chapter 25 – Evaluation and Exam Service

(Amended 9/93; 1/10)

The Evaluation and Exam Service performs for faculty the scoring and record-keeping tasks required to support classroom testing and course/instructor evaluation. The office administers national and institutional test programs for students and community members. In addition, Evaluation and Exam Service staff provide consultation services for: survey and questionnaire design, electronic data collection, interpretation of item and test analyses, test development, and institutional research related to placement and proficiency testing.

VI. Services

Chapter 26 – Dual Career Services

(10/94; 3/00; 9/03; 1/15)

a. The University of Iowa recognizes the issue of, and is responsive to the needs of, dual career couples. Dual Career Services is a service of The University of Iowa designed to assist faculty and staff spouses/partners in seeking and securing employment. The eligibility guidelines are:

(1) You must be the spouse/partner of a newly hired permanent faculty or staff member, or

(2) You must be part of a recruitment effort; and

(3) You must have lived in the area for less than two years.

b. Services are provided for up to one year:

(1) Professional job search assistance and career guidance.

(2) Resume writing assistance.

(3) Advice on interviewing techniques.

(4) Up-to-date resource information about local businesses.

(5) Assistance with writing cover letters.

(6) Access to job openings with local employers.

(7) Letters of support written for University of Iowa positions.

(8) Career coaching and guidance.

(9) Introduction to local groups to assist in networking attempts.

(10) Current information about local hiring market and demographics.

c. For those who do not meet the program requirements listed above, a limited-service appointment is offered. This is a one-time meeting in which a resume critique, job leads, and community contacts are provided.

VI. Services

Chapter 27 – Information on Study, Programs, and Events

(Regents 12/9/76)

27.1 Policy

The institutions governed by the Board of Regents, State of Iowa, have an obligation to apprise students, prospective students, and the general public of the opportunities which exist for on- and off-campus study and for participation in the programs and events open to them with or without charge.

27.2 Dissemination of Information

To convey such information to the public, the institutions are expected to employ all channels open to them for free dissemination, e.g., news stories, public service announcements, and through space and time made available by public-spirited organizations in their own information media. Free dissemination is the preferred means of informing; however, paid announcements may be used when made necessary by considerations such as urgency, characteristics of the audience, need for repetition, relative cost of other means of informing, and relative effectiveness of media.

(BRPM 3.16)

VI. Services

Chapter 28 – UI Wellness

(3/02; 9/02; 10/04; 6/05; 8/06; 7/1/08; 8/08; 12/10; 8/11)

UI Wellness is a unit of University Human Resources that administers the liveWELL program to faculty and staff of The University of Iowa.

UI Wellness provides health promotion services to enhance the health of the organization and its employees. These health promotion efforts are comprised of awareness and education activities, behavior and lifestyle change programs, and the creation of supportive environments. A Personal Health Assessment (PHA) survey is the foundation of programmatic efforts, providing a tailored feedback report on health status and associated resources for faculty and staff members who complete the survey. One time per calendar year, eligible faculty and staff are encouraged to take this voluntary, 15-minute, online survey during work time. Aggregate data collected from the PHA provides the University with useful information to make sound decisions on health improvement programming to support health and productivity on campus. Health promotion is an investment in our human resources.

For additional information please see https://hr.uiowa.edu/livewell or contact UI Wellness at livewell@uiowa.edu.

VI. Services

Chapter 29 – Family Services

(3/02; 9/02; 6/05; 8/06; 4/07; 9/16)

University of Iowa Family Services provides programs, information, and referral assistance to faculty, staff, and students regarding their individual and family-related needs. The programs offered can help faculty, staff, and students to identify University and community services and resources. In addition, the Family Services staff are familiar with family-related University of Iowa policies. Specific programs and services include:

a. Child care and school-age child care, and spring break and summer camp resources,

b. Elder care,

c. Guidance for supervisors of new parents,

d. On-campus lactation resources,

e. Web-based adoption resources,

f. Services to student families,

g. Flexible work arrangements, and

h. Resource and referral.

For further information, see the Family Services website at https://hr.uiowa.edu/family-services/ or contact the Family Services Office, 121 University Services Building.

VI. Services

Chapter 30 – Reward and Recognition

(Amended 10/04)

Recognition efforts on campus include both formal programs and informal strategies. Reward and Recognition, a division of Organizational Effectiveness, a unit of Human Resources, provides consultation and resources to assist staff and their departments to provide an open and clear process for recognizing staff efforts. Guidelines have been established to support the appropriate use of funds, to abide by payroll considerations, and provide equal opportunity for all staff to be recognized for their efforts. For further information, see the website https://hr.uiowa.edu/recognition or contact Organizational Effectiveness at 121-50 University Services Building.

VI. Services

Chapter 31 – Organizational Effectiveness

(10/04; amended 7/08)

The mission of Organizational Effectiveness (OE) is to strengthen individual and organizational learning and performance. OE advocates for a University community that builds upon a humane, healthy, and competent culture.

Achieving performance excellence in higher education is a challenge to The University of Iowa as we attempt to deal with a range of issues from advances in information technology to decreases in financial support.

Organizational Effectiveness can assist departments in building and sustaining performance excellence in areas that are critical to The University of Iowa's success. OE consultants and staff have the experience and expertise to assist units or divisions with the knowledge, skills, and tools that are essential for improved productivity, health, and employee well-being. We believe in partnering with leaders to develop a tailored approach to the departmental context and needs of our clients. We are here to support the ongoing development and improvement of your workplace, resulting in improved productivity and employee well-being.

For additional information, see the OE web page at https://hr.uiowa.edu/organizational-effectiveness or contact an OE consultant directly at 121-50 University Services Building.

VI. Services

Chapter 32 – University of Iowa Threat Assessment Program

(Amended 4/14)

32.1 General

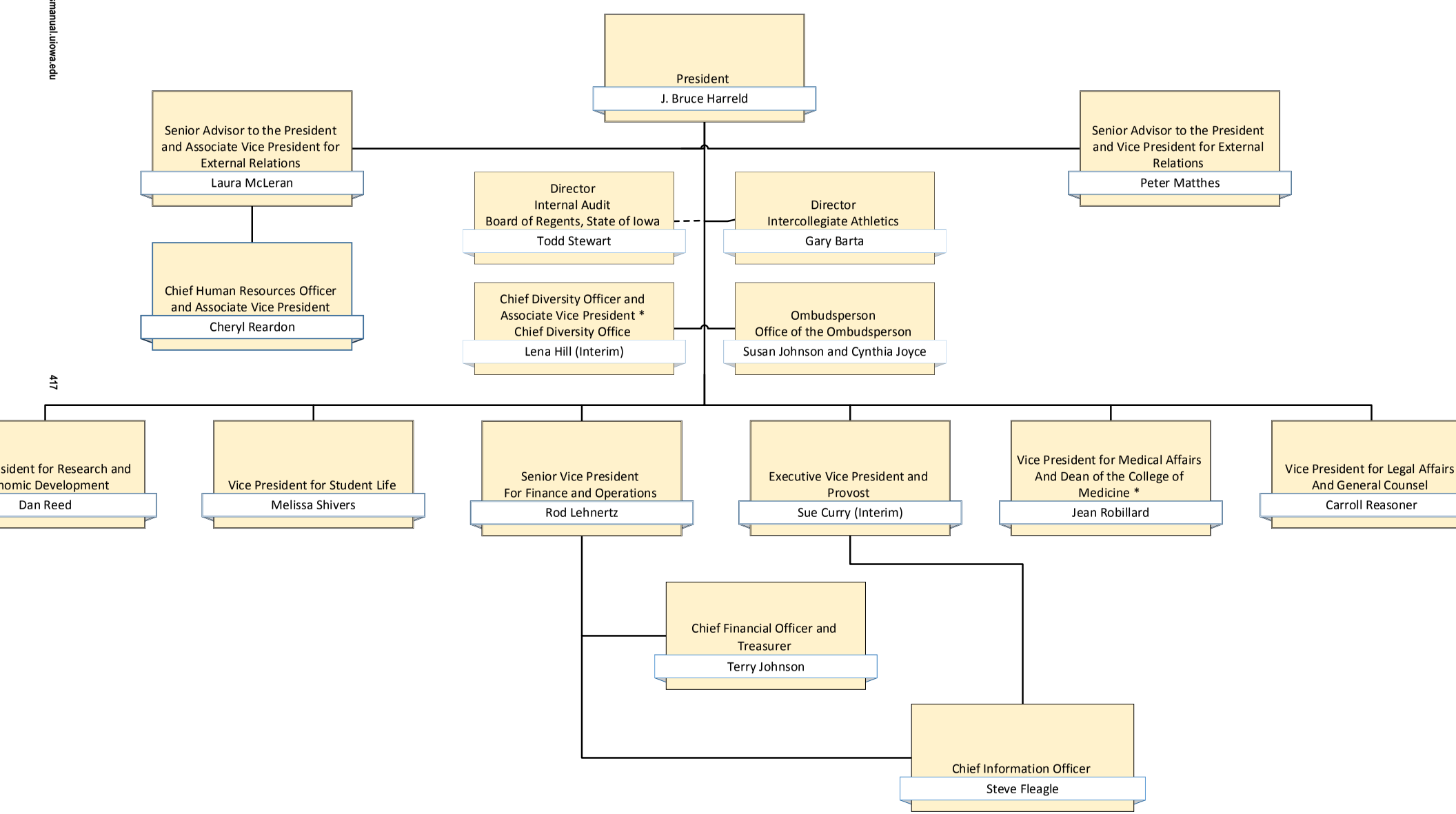
The University of Iowa Threat Assessment Program (TAP) was established in 2008, in response to the Iowa Board of Regents' Comprehensive Campus Safety and Security Policy (BRPM 4.13), which includes a charge to provide comprehensive threat assessment and management services. The TAP combines expertise in the areas of law enforcement, mental health, student services, human resources, legal services, and organizational effectiveness.

The Threat Assessment Program is dedicated to the early identification, assessment, and management of incidents and behaviors that threaten the safety and well-being of the University community. The goal of the program is to provide an integrated and coordinated process for identifying and responding to students, faculty, staff, and other individuals who may be at risk of harming themselves or others. For further information, see https://hr.uiowa.edu/tat.

32.2 Behavior Risk Management

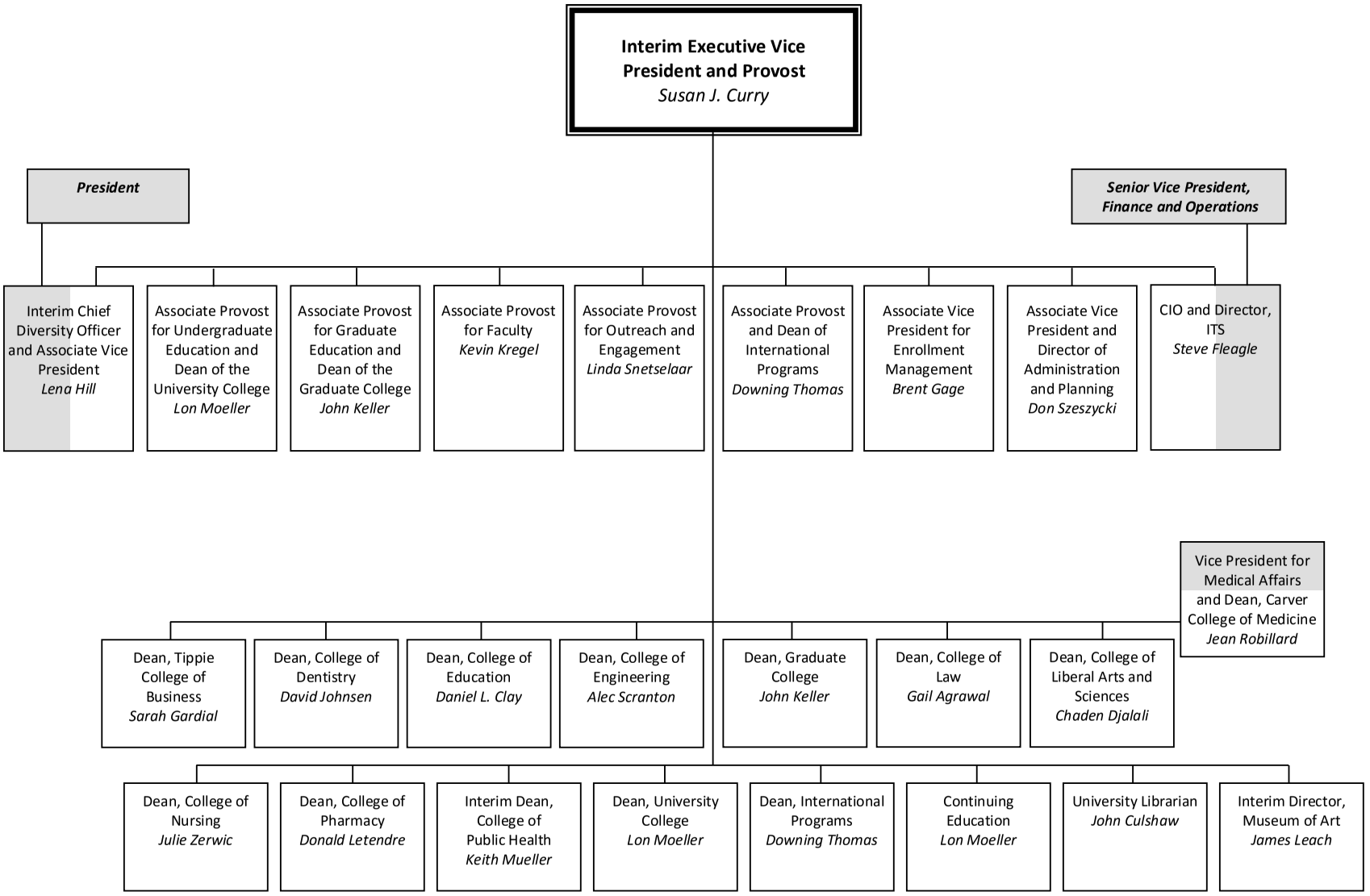
The Threat Assessment Program serves as the coordinating office of the Behavior Risk Management Program. This program is utilized when an employee has displayed violent or threatening behavior that could result in discipline or termination. TAP completes a behavior risk screening and, depending on outcome of the screening, may require further evaluation of the employee's ability to be at work safely. For further information, see https://hr.uiowa.edu/tat.

University of Iowa
Organizational Chart



o reports to the Provost

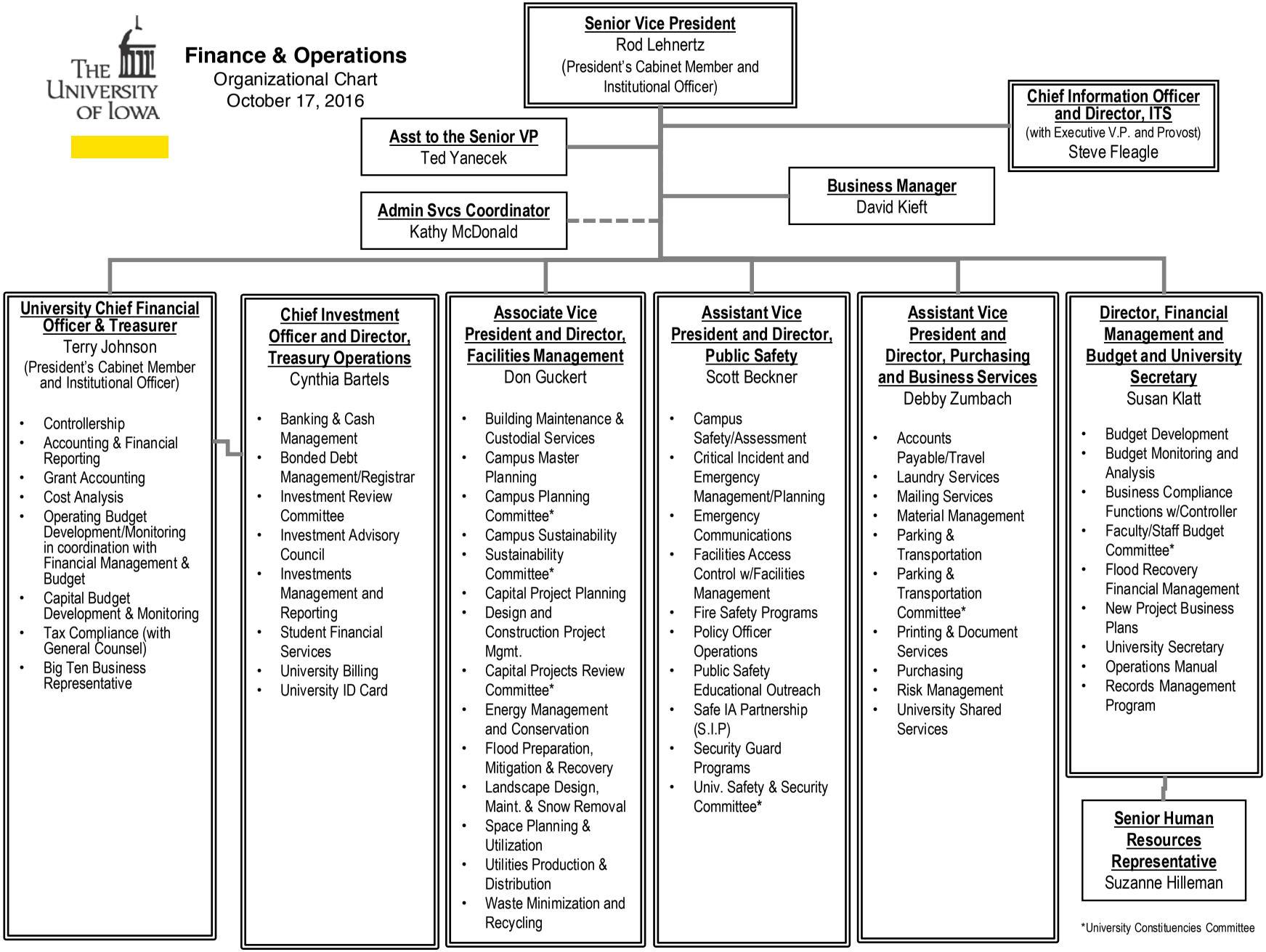
Office of the Provost
111 Jessup Hall
319-335-3565



THE UNIVERSITY OF IOWA

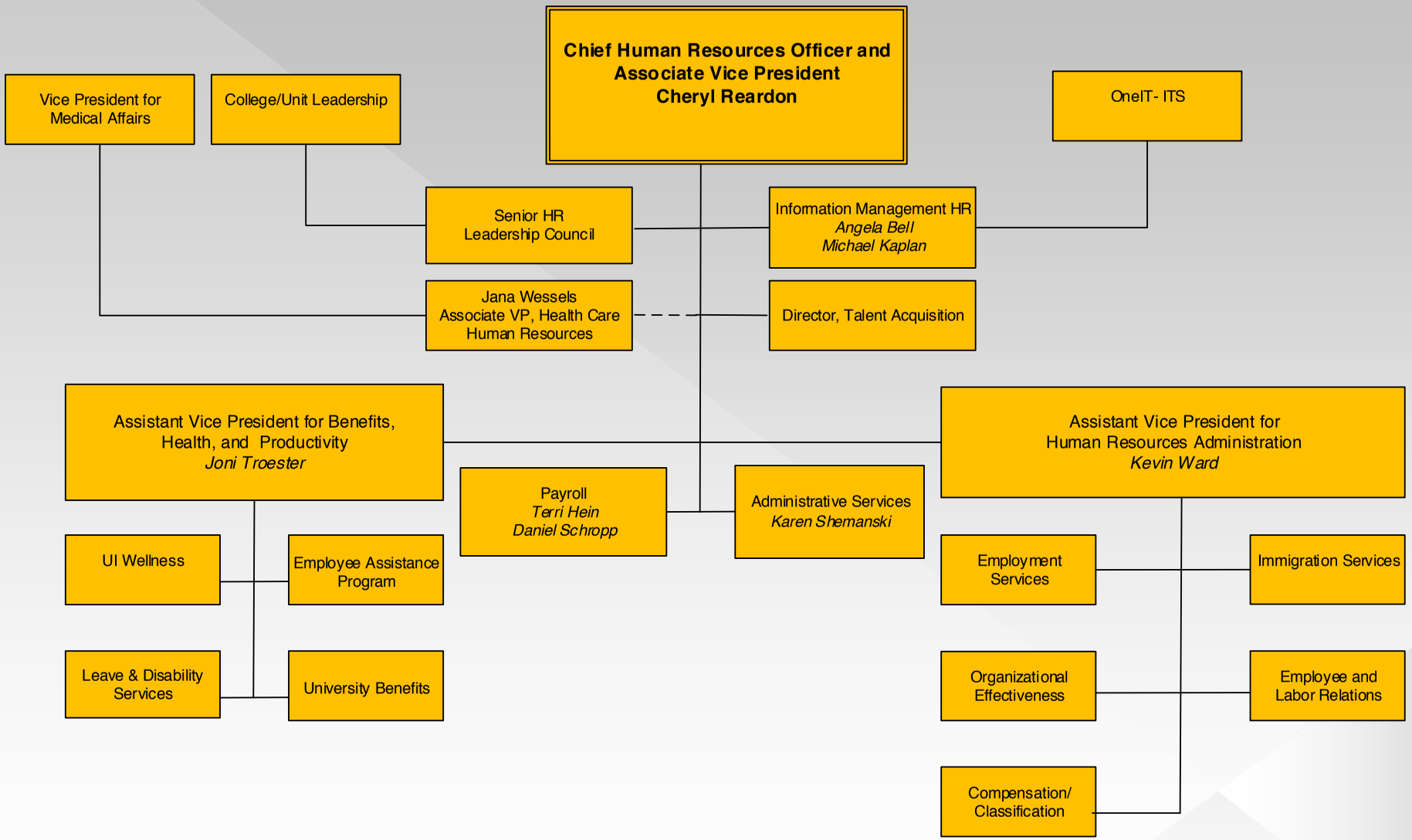
Finance & Operations

Organizational Chart
October 17, 2016



*University Constituencies Committee

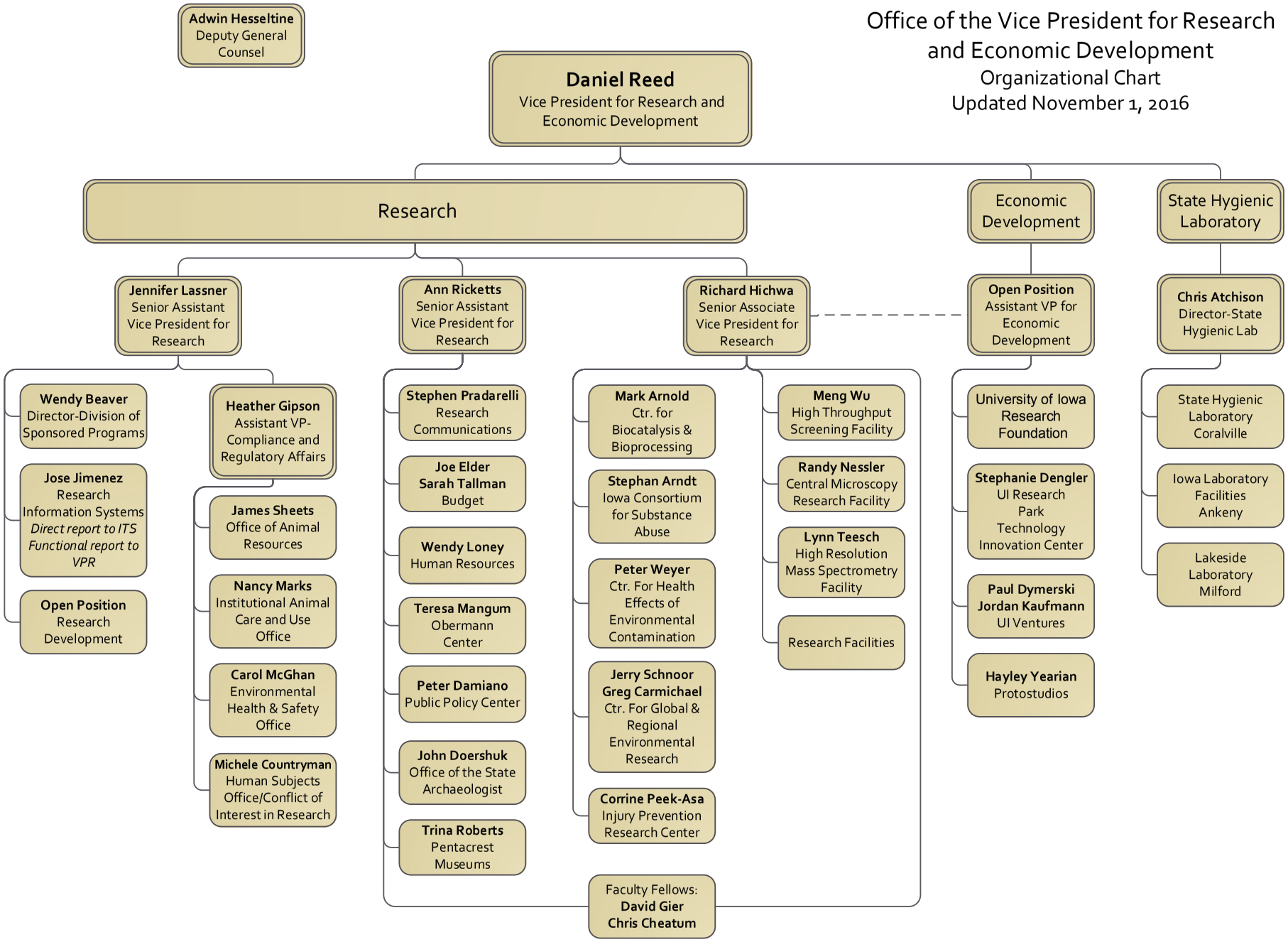
Organizational Structure for University Human Resources



Office of the Vice President for Research and Economic Development

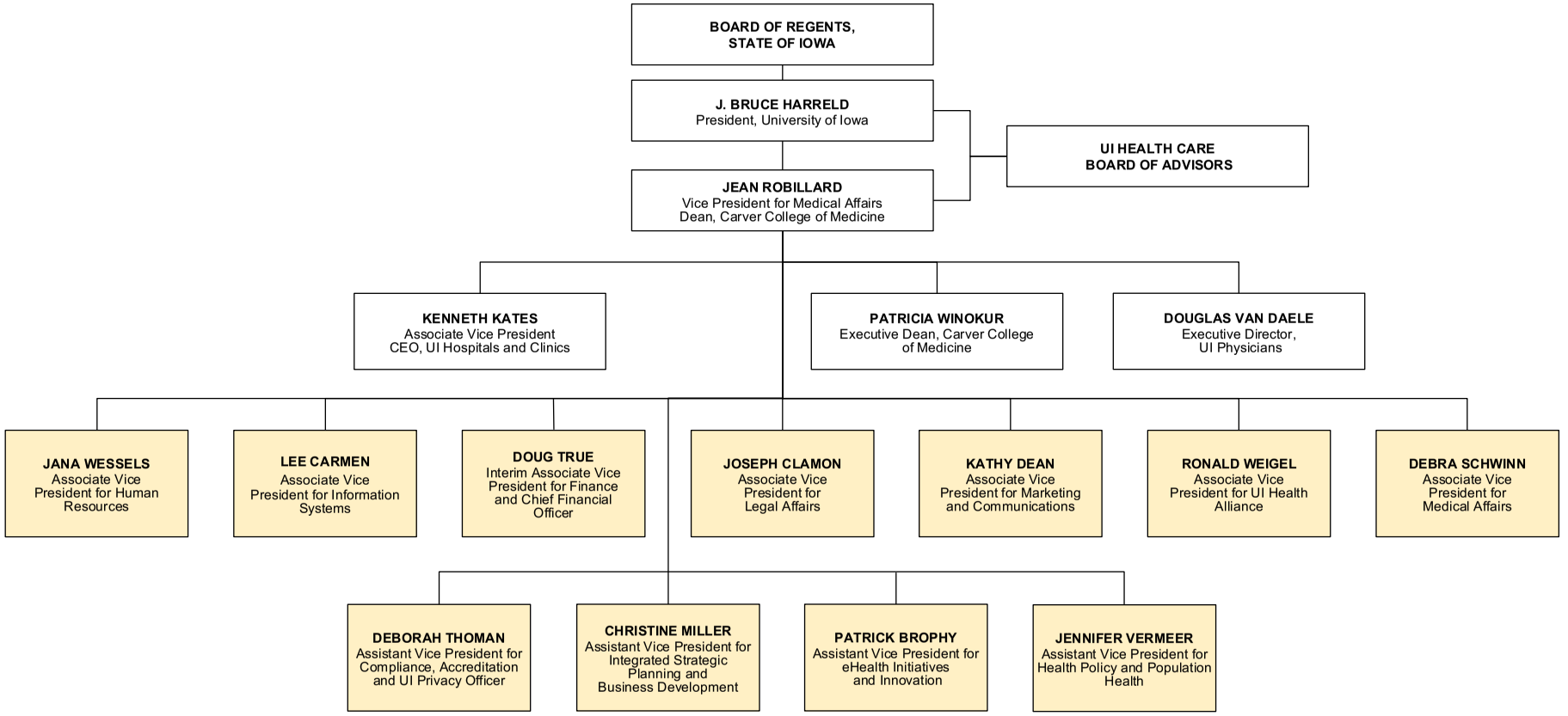
Organizational Chart

Updated November 1, 2016



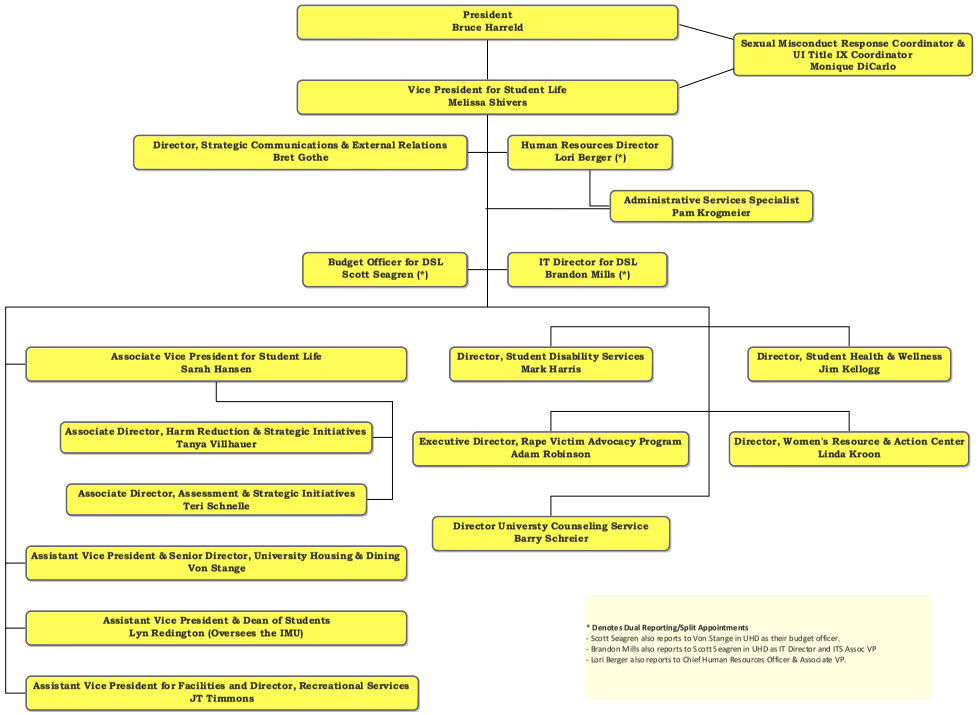
Organization

UI Health Care Overview



UI Health Care Corporate Services

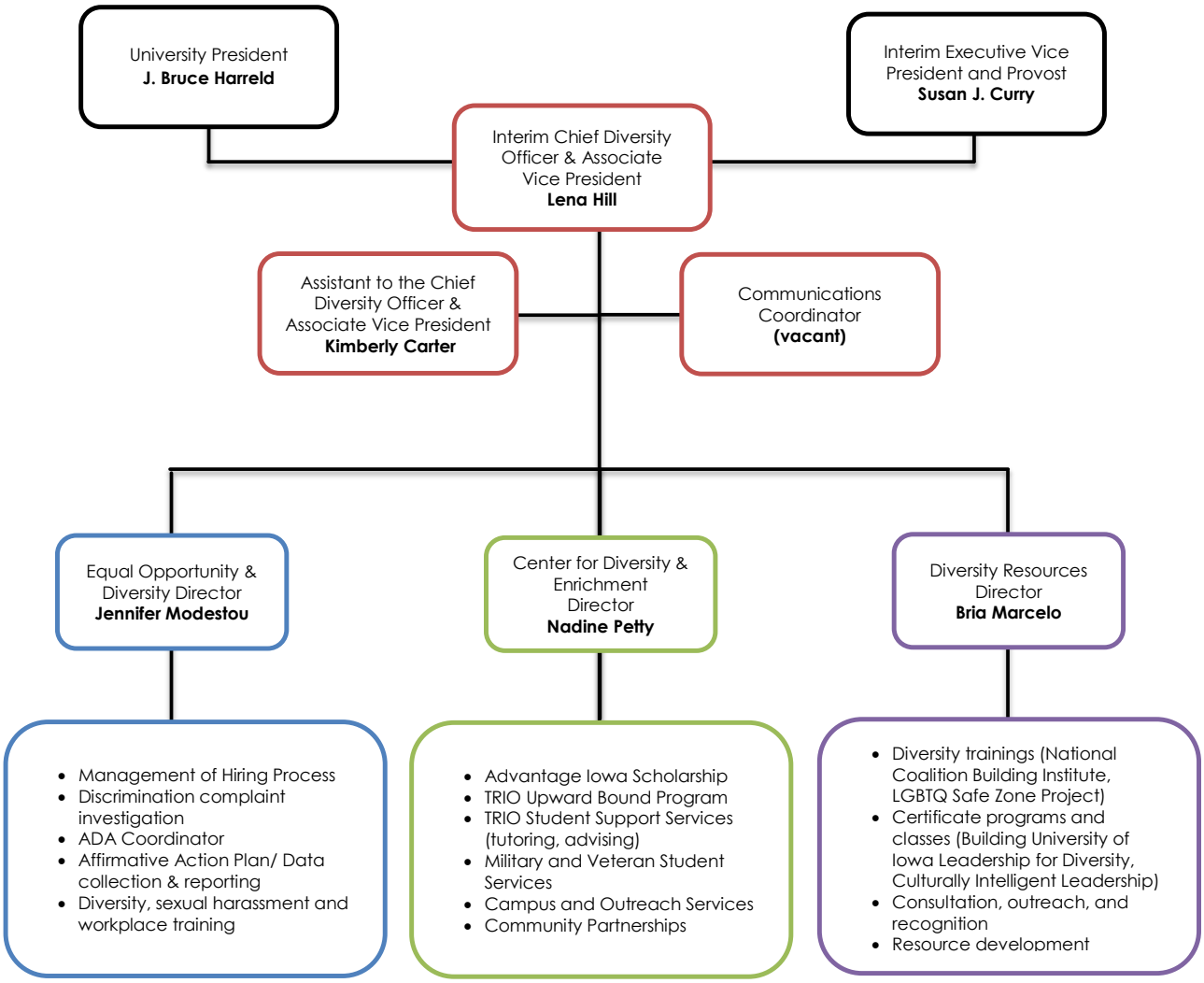
Division of Student Life



THE UNIVERSITY OF IOWA

Chief Diversity Office

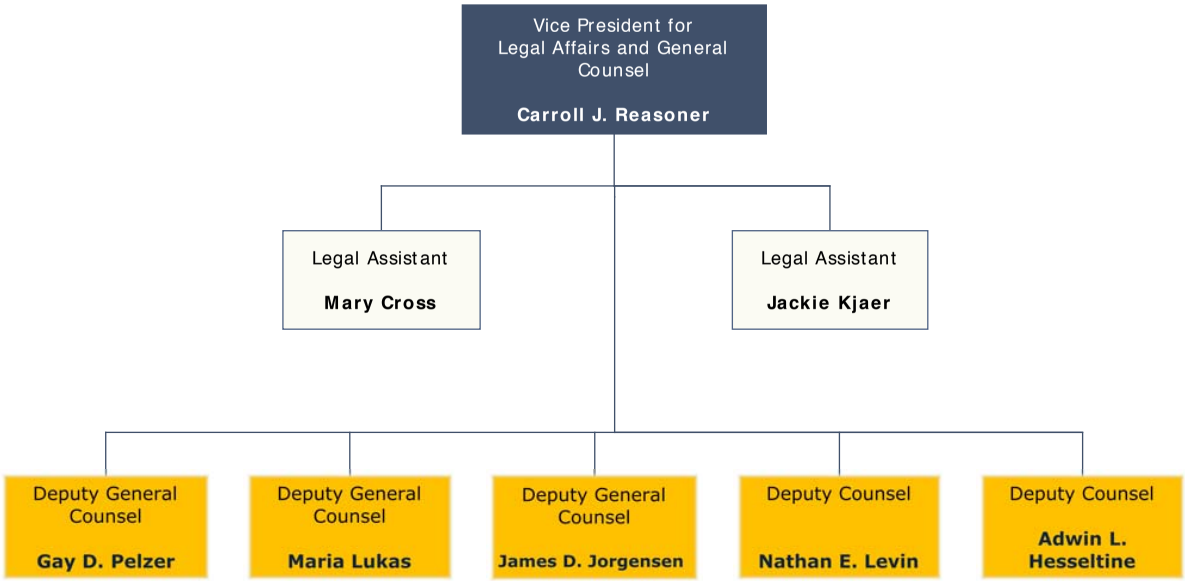
Organizational Chart



8/4/2017

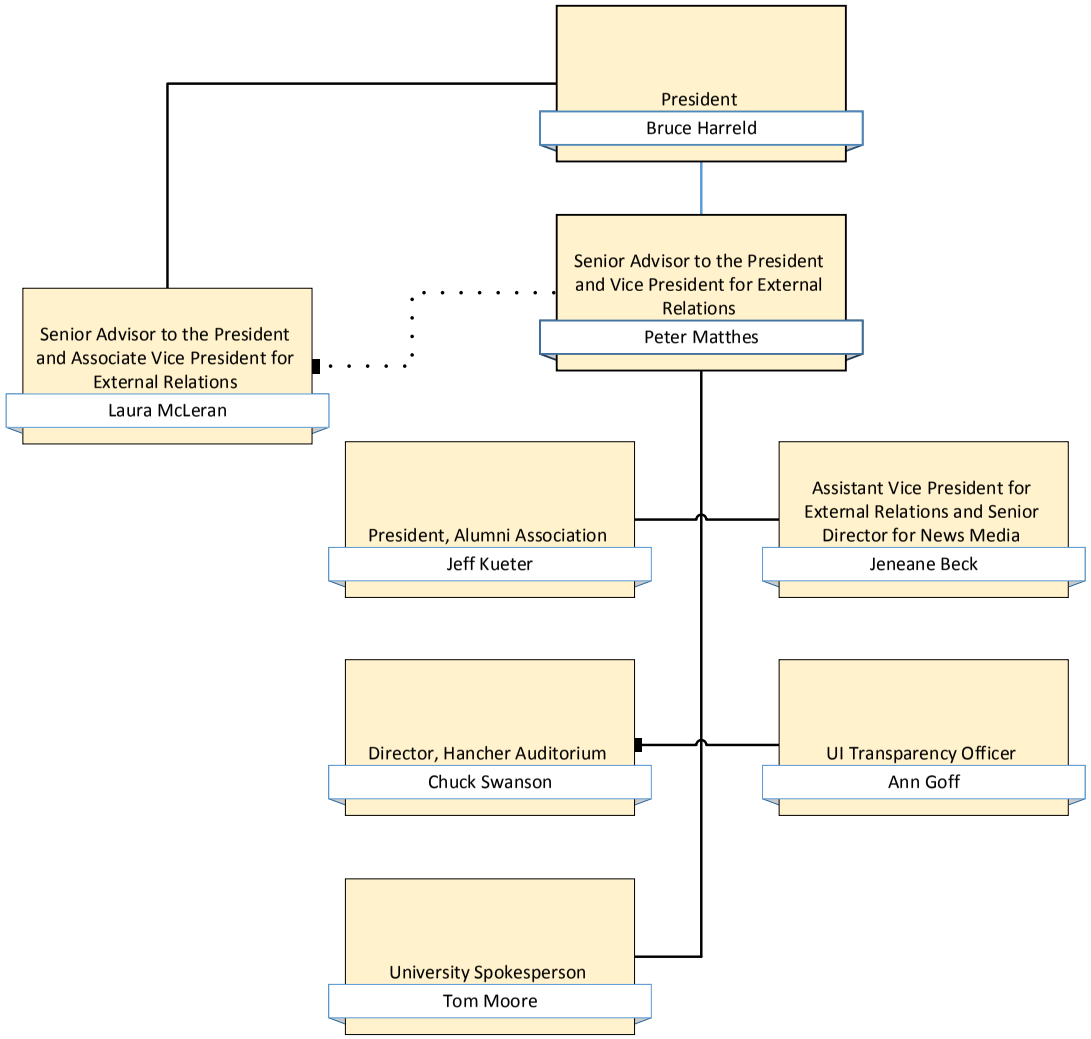
THE UNIVERSITY OF IOWA

Office of the General Counsel



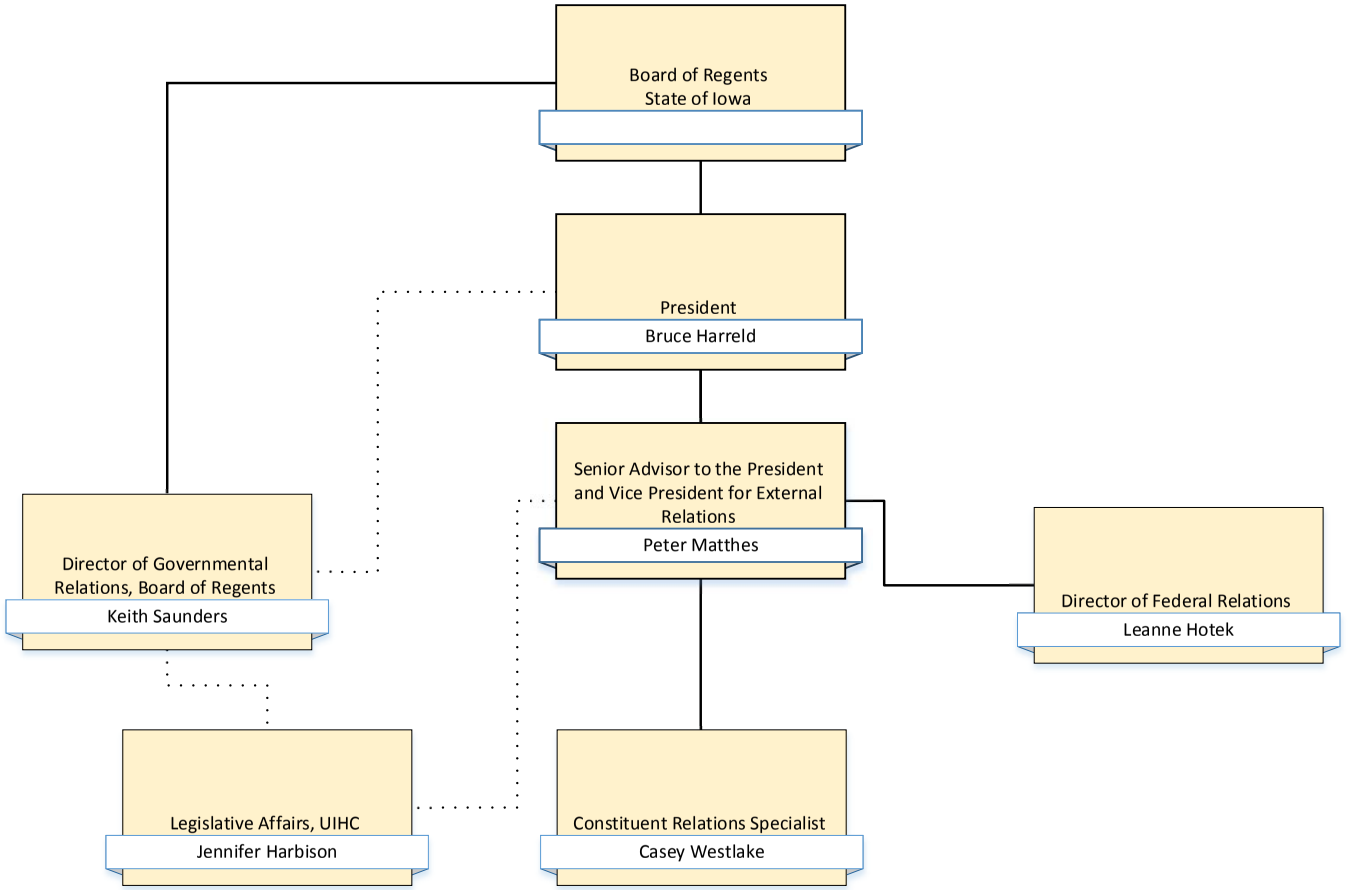
July 1, 2015

Vice President for External Relations
Organizational Chart



January 14, 2016

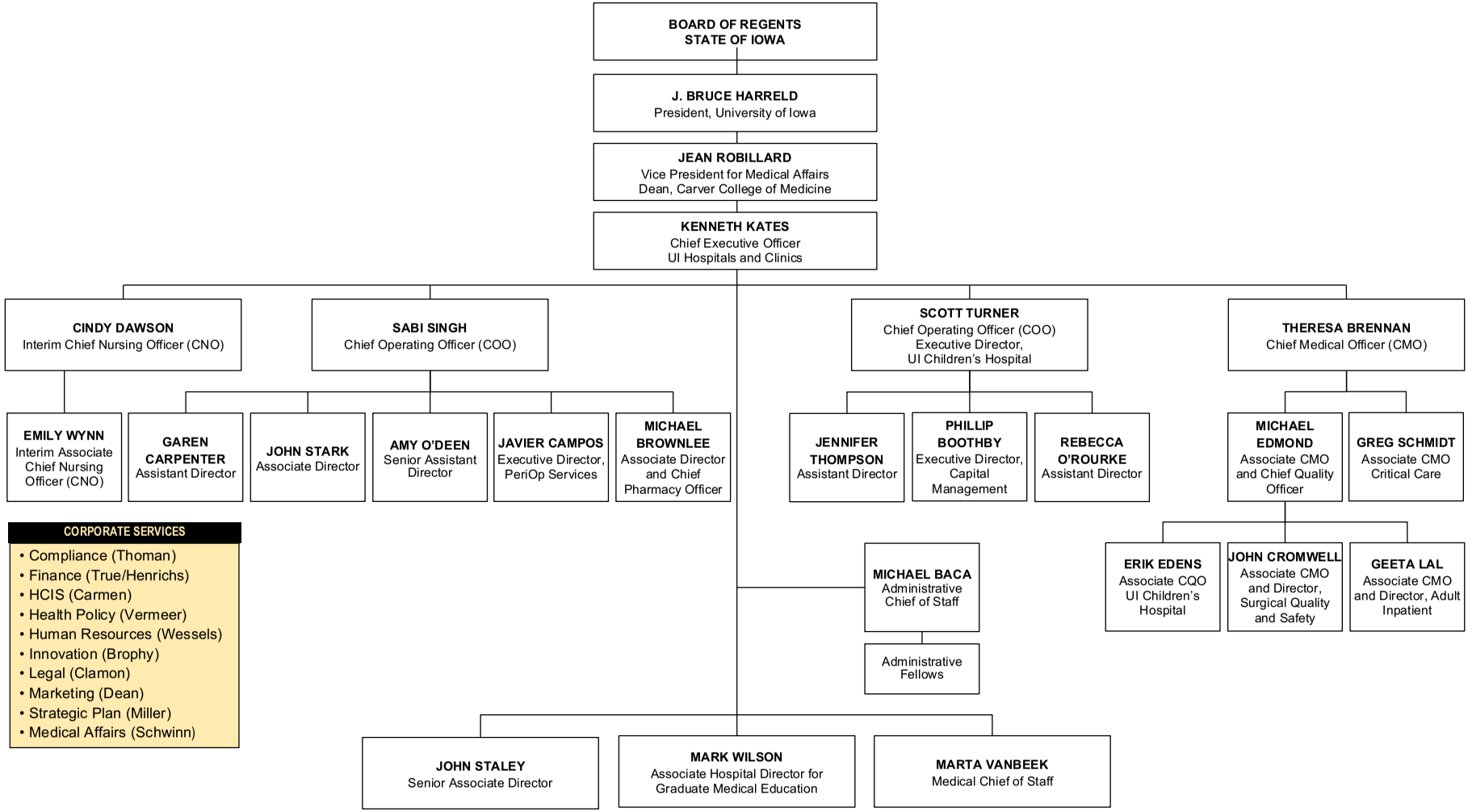
Office of Governmental Relations
Organizational Chart



As of July 29, 2016

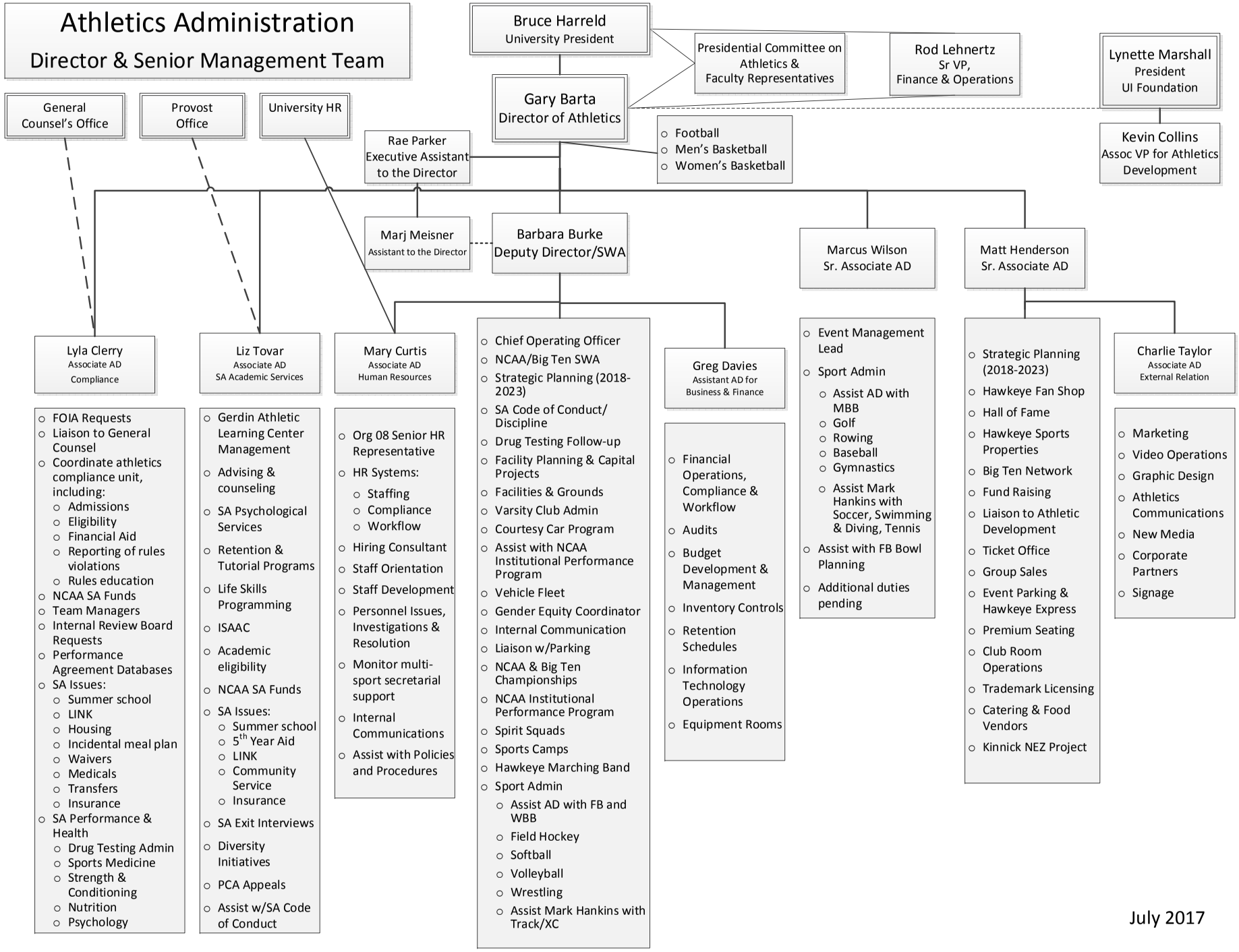
University of Iowa Hospitals and Clinics

UI Health Care Overview



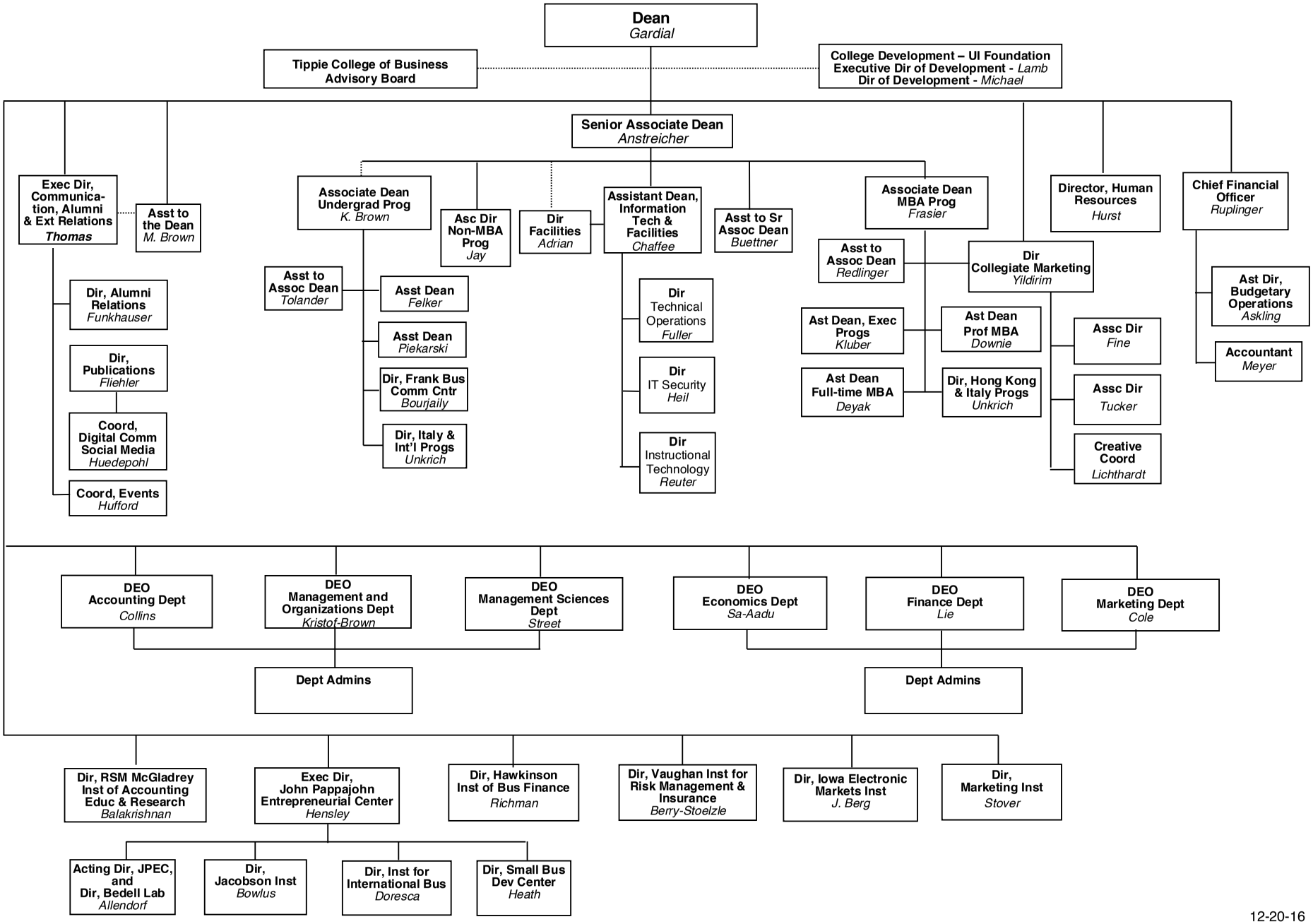
Athletics Administration

Director & Senior Management Team



July 2017

ORGANIZATIONAL CHART - Henry B. Tippie College of Business - The University of Iowa



12-20-16

COLLEGE OF DENTISTRY

Dean
College of Medicine
- Basic Science Departments

Dean
Dr. D. Johnsen

Development Director
Ms. K. Geiken

Executive Associate Dean
Dr. G. Schneider

Director, Continuing Education & Alumni Relations
Ms. P. Ryan

Office of Iowa Practice Opportunities
Ms. D. Hoyle

Committees

Education/ Curriculum
Associate Dean
Dr. L. Garcia
- Predoctoral Education
- Postdoctoral-Graduate Education
- Educational Initiatives
- Curriculum Development
- Curriculum Mapping & Alignment
- Programmatic Quality Improvement
- Accreditation & Institutional Reporting
- Assessment & Learning Environment

Patient Care
Associate Dean
Dr. M. Kanellis
- **Director of Clinics** - Dr. R. Elvers
- Clinic Operations
- Patient Mgt. System
- Clinical Patient Care
- Host Clinical Board Exams
- Emergency Clinic

Student Affairs
Associate Dean
Ms. C. Solow
- Admissions
- Registrar
- Recruitment
- Orientation
- Financial Aid
- Counseling
- Student Mentoring
- Student Organizations
- Student Promotions
- Tutoring
- Diversity

Faculty
Associate Dean
Dr. G. Schneider
- Departmental Reviews
- Faculty Recruitment
- Faculty Retention & Development
- Faculty Mentoring/ Promotions
- Faculty Reviews (Annual, Senior)

Research
Associate Dean
Dr. B. Amendt
- **Director Dows Institute** - Dr. K. Brogden
- Joint Use Lab/Services
- Clinical Research
- Epithelial & Soft Tissue
- Biomaterials
- Oral Biology
- Cariology
- **Research Training** - Dr. C. Squier
- Graduate Programs

Finance & Facilities
Associate Dean
Mr. S. Arneson
- Budgets & Financial Mgt.
- Dental Business Office
- Dental Supply & Receiving
- Dental Equipment
- Dental Facilities Services
- Technology & Media Services
- Human Resources
- Electronic Communication Services
- DSP Liaison

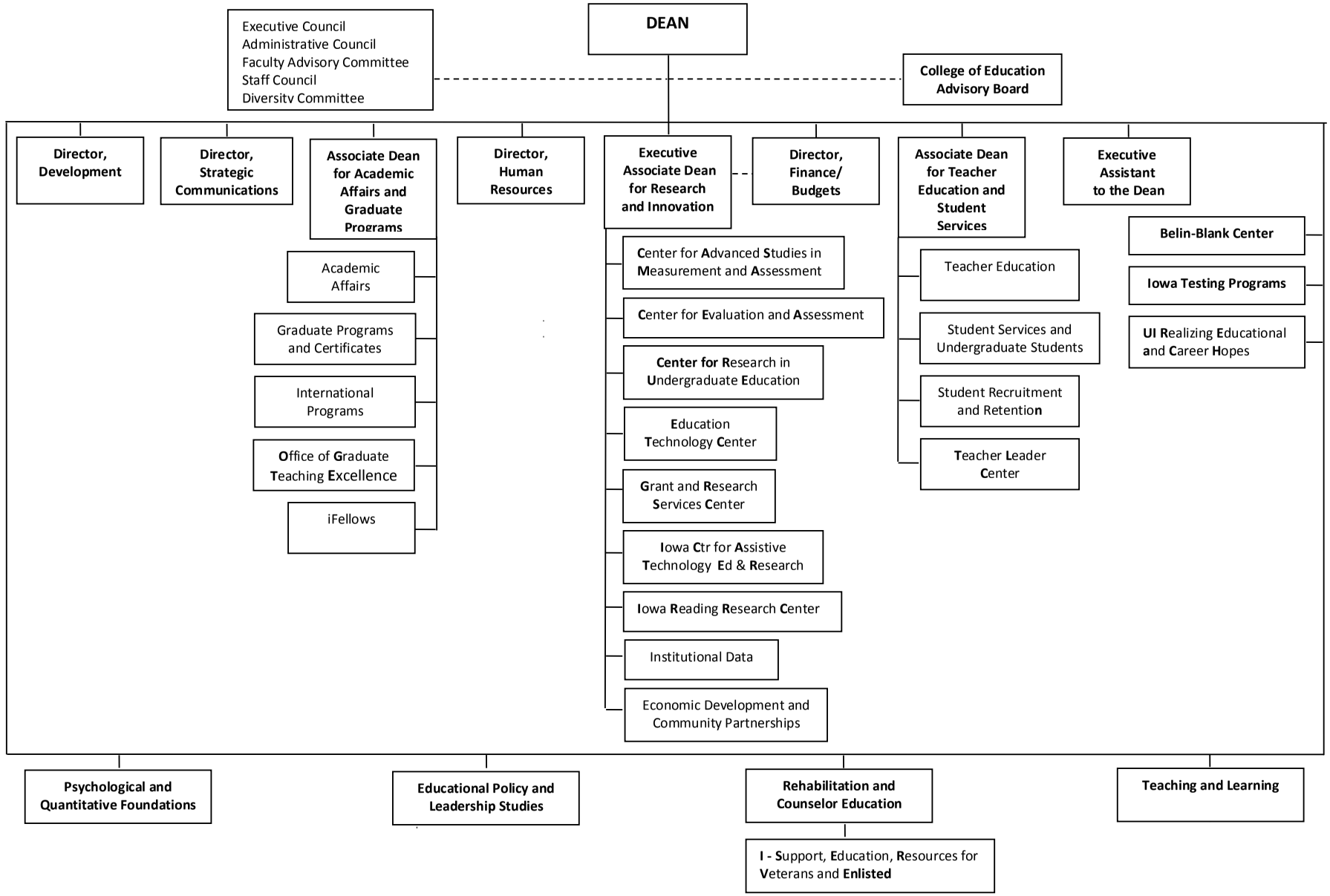
DEPARTMENTS

- **Endodontics** Dr. F. Teixeira — Departmental Faculty
- **Orthodontics** Dr. T. Southard — Departmental Faculty
- **Prosthodontics** Dr. J. Holloway — Departmental Faculty
- **Periodontics** Dr. G. Johnson — Departmental Faculty
- **Family Dentistry** Dr. D. Holmes — Departmental Faculty
- **Preventive & Community Dentistry** Dr. D. Caplan — Departmental Faculty
- **Oral Pathology, Radiology & Medicine** Dr. J. Hellstein — Departmental Faculty; Dental Pharmacy
- **Pediatric Dentistry** Dr. K. Weber-Gasparoni — Departmental Faculty
- **Operative Dentistry** Dr. S. Armstrong — Departmental Faculty
- **Oral & Max. Surgery** Dr. K. Fridrich — Departmental Faculty
- **University Hospitals & HD Institute** Dr. K. Fridrich — Departmental Faculty

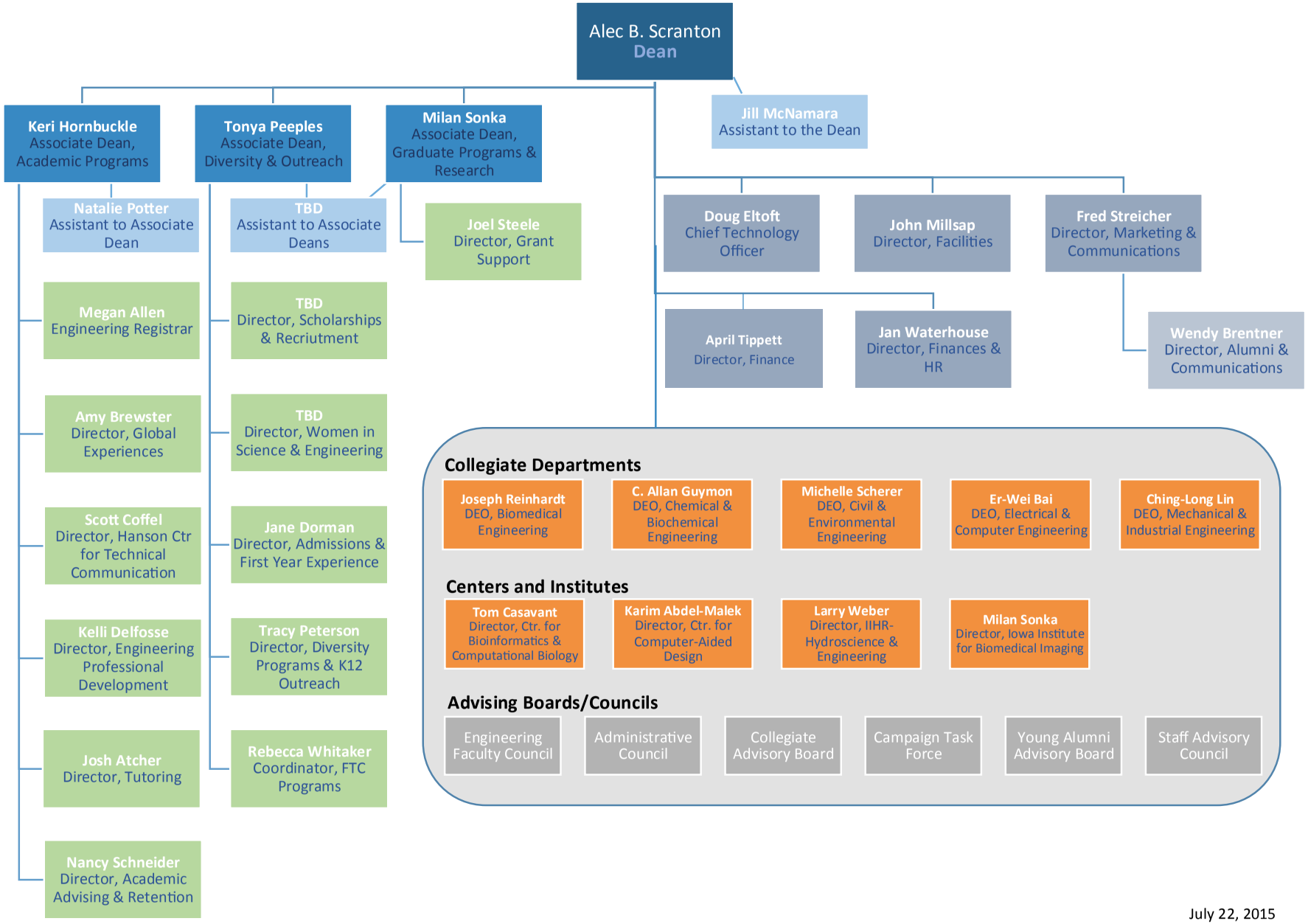
VA Med Center Dental Services
Dr. D. Adamec

12/1/2015

ORGANIZATIONAL CHART - College of Education – The University of Iowa
www.education.uiowa.edu
February 2016



College of Engineering Organizational Chart



July 22, 2015

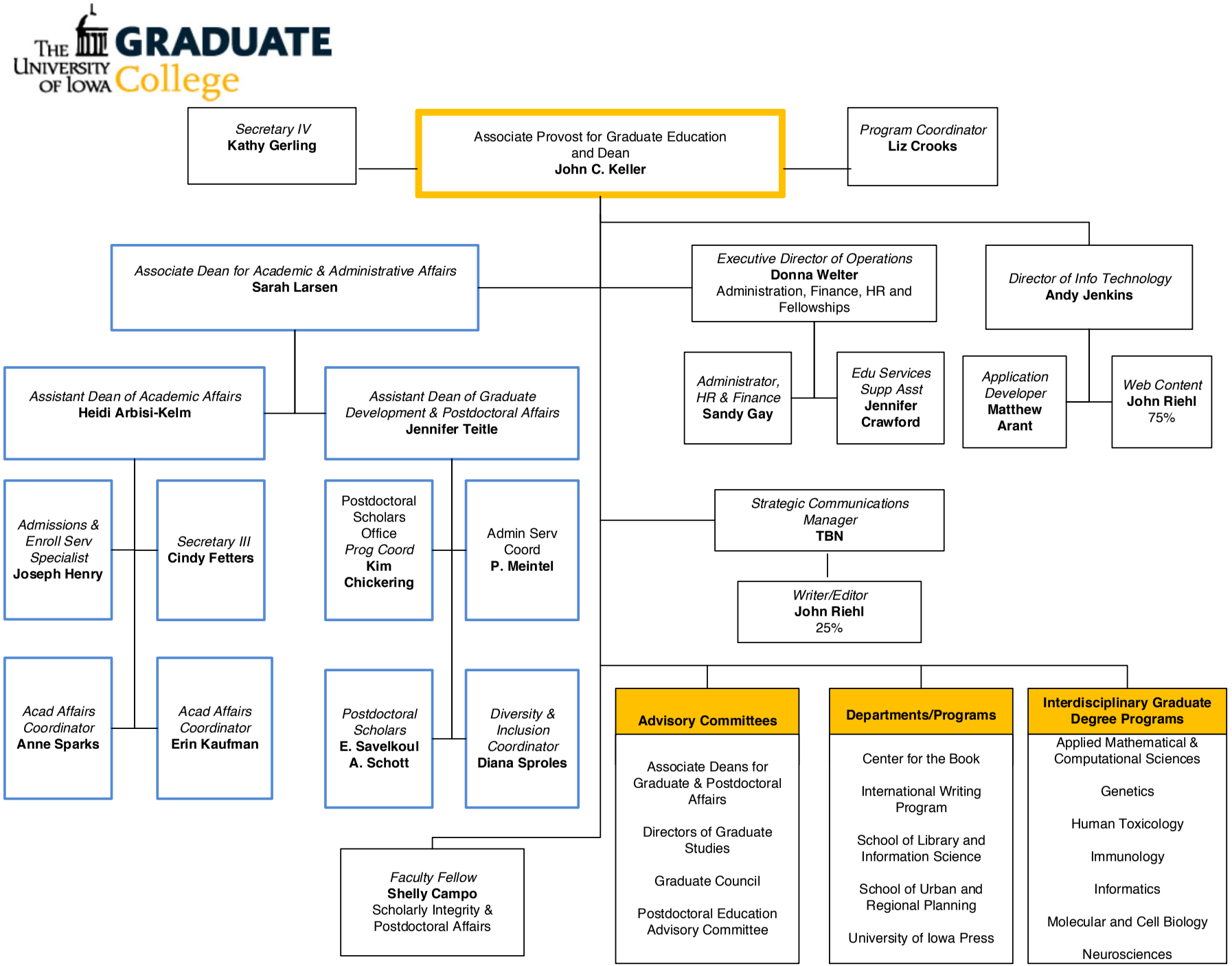
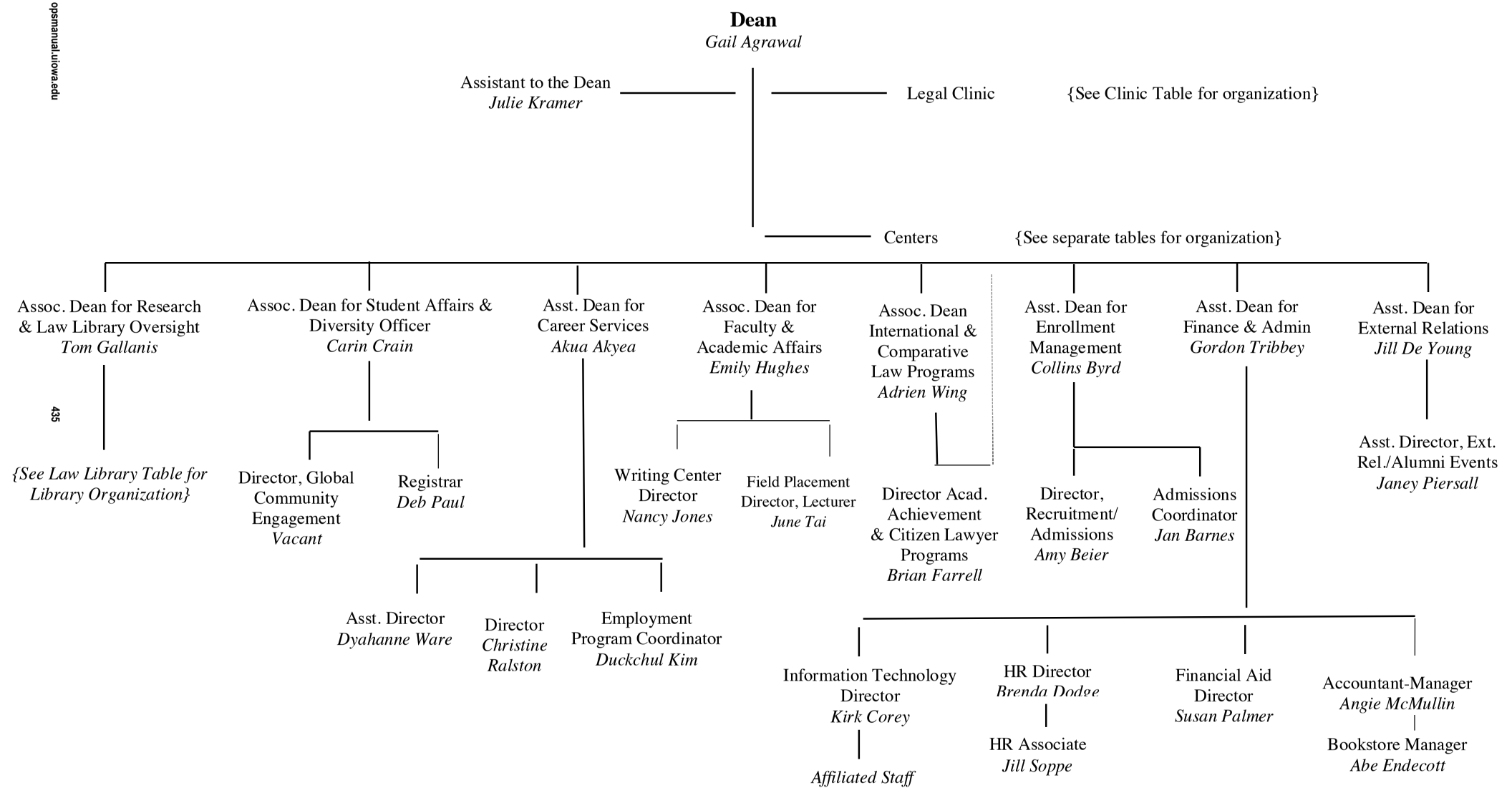
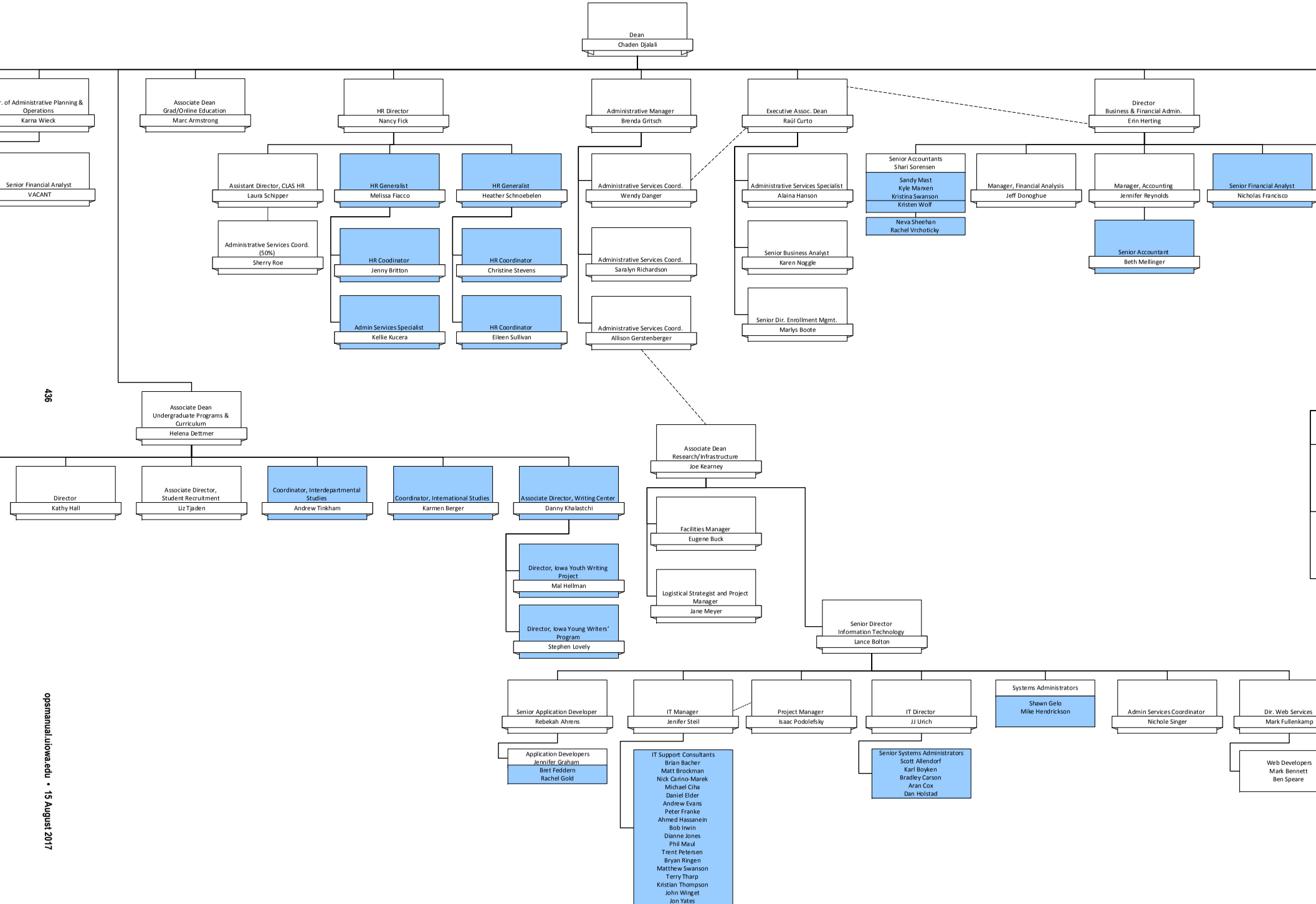

THE UNIVERSITY OF IOWA GRADUATE College
Secretary IV
Kathy Gerling
Associate Provost for Graduate Education and Dean
John C. Keller
Program Coordinator
Liz Crooks
Associate Dean for Academic & Administrative Affairs
Sarah Larsen
Executive Director of Operations
Donna Welter
Administration, Finance, HR and Fellowships
Director of Info Technology
Andy Jenkins
Assistant Dean of Academic Affairs
Heidi Arbisi-Kelm
Assistant Dean of Graduate Development & Postdoctoral Affairs
Jennifer Teitle
Administrator, HR & Finance
Sandy Gay
Edu Services Supp Asst
Jennifer Crawford
Application Developer
Matthew Arant
Web Content
John Riehl
75%
Admissions & Enroll Serv Specialist
Joseph Henry
Secretary III
Cindy Fetters
Postdoctoral Scholars Office Prog Coord
Kim Chickering
Admin Serv Coord
P. Meintel
Strategic Communications Manager
TBN
Writer/Editor
John Riehl
25%
Acad Affairs Coordinator
Anne Sparks
Acad Affairs Coordinator
Erin Kaufman
Postdoctoral Scholars
E. Savelkoul
A. Schott
Diversity & Inclusion Coordinator
Diana Sproles
Advisory Committees
Associate Deans for Graduate & Postdoctoral Affairs
Directors of Graduate Studies
Graduate Council
Postdoctoral Education Advisory Committee
Departments/Programs
Center for the Book
International Writing Program
School of Library and Information Science
School of Urban and Regional Planning
University of Iowa Press
Interdisciplinary Graduate Degree Programs
Applied Mathematical & Computational Sciences
Genetics
Human Toxicology
Immunology
Informatics
Molecular and Cell Biology
Neurosciences
Faculty Fellow
Shelly Campo
Scholarly Integrity & Postdoctoral Affairs

Table of Organization: College of Law



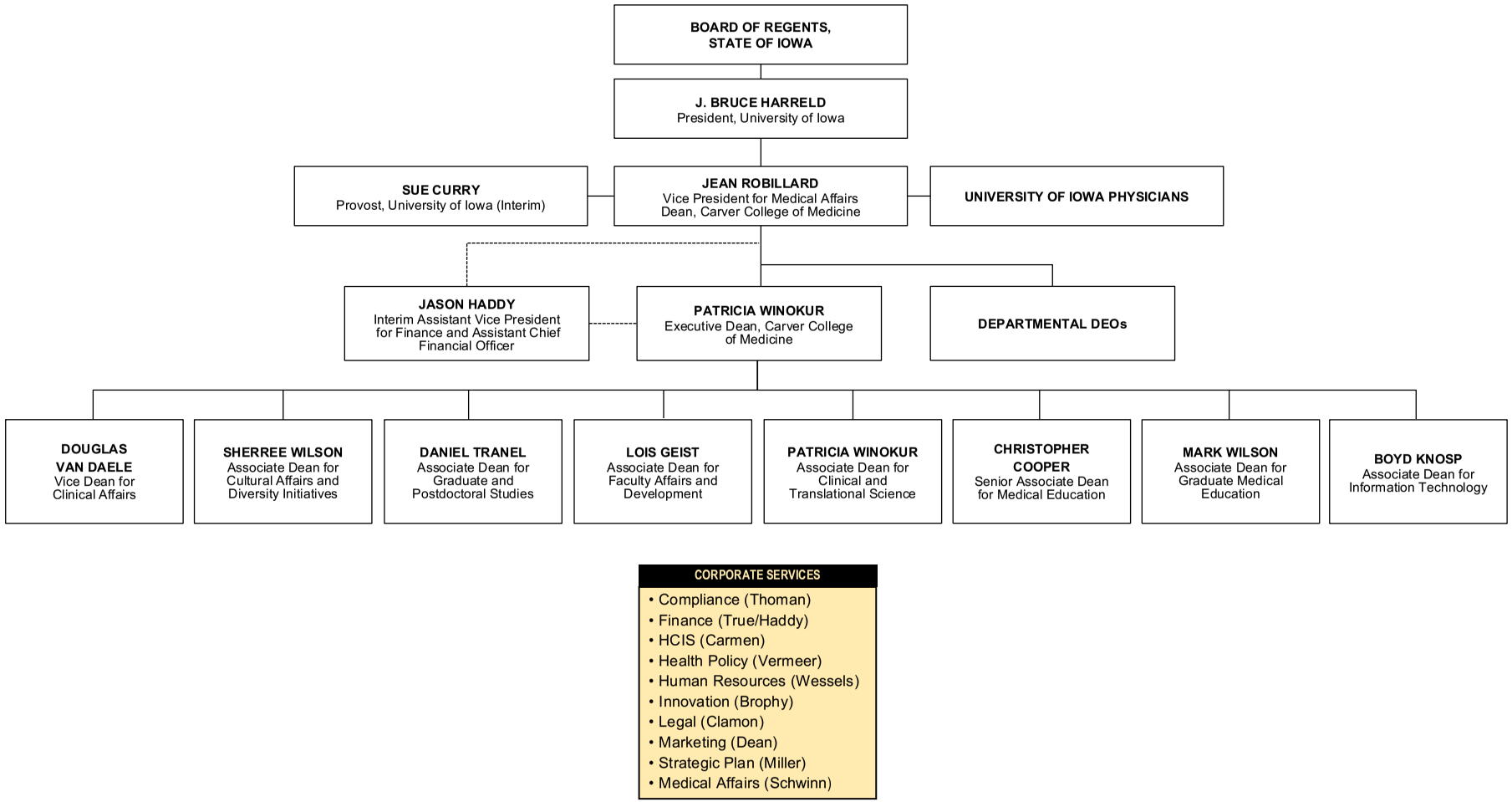
College of Liberal Arts & Sciences

Dean's Office



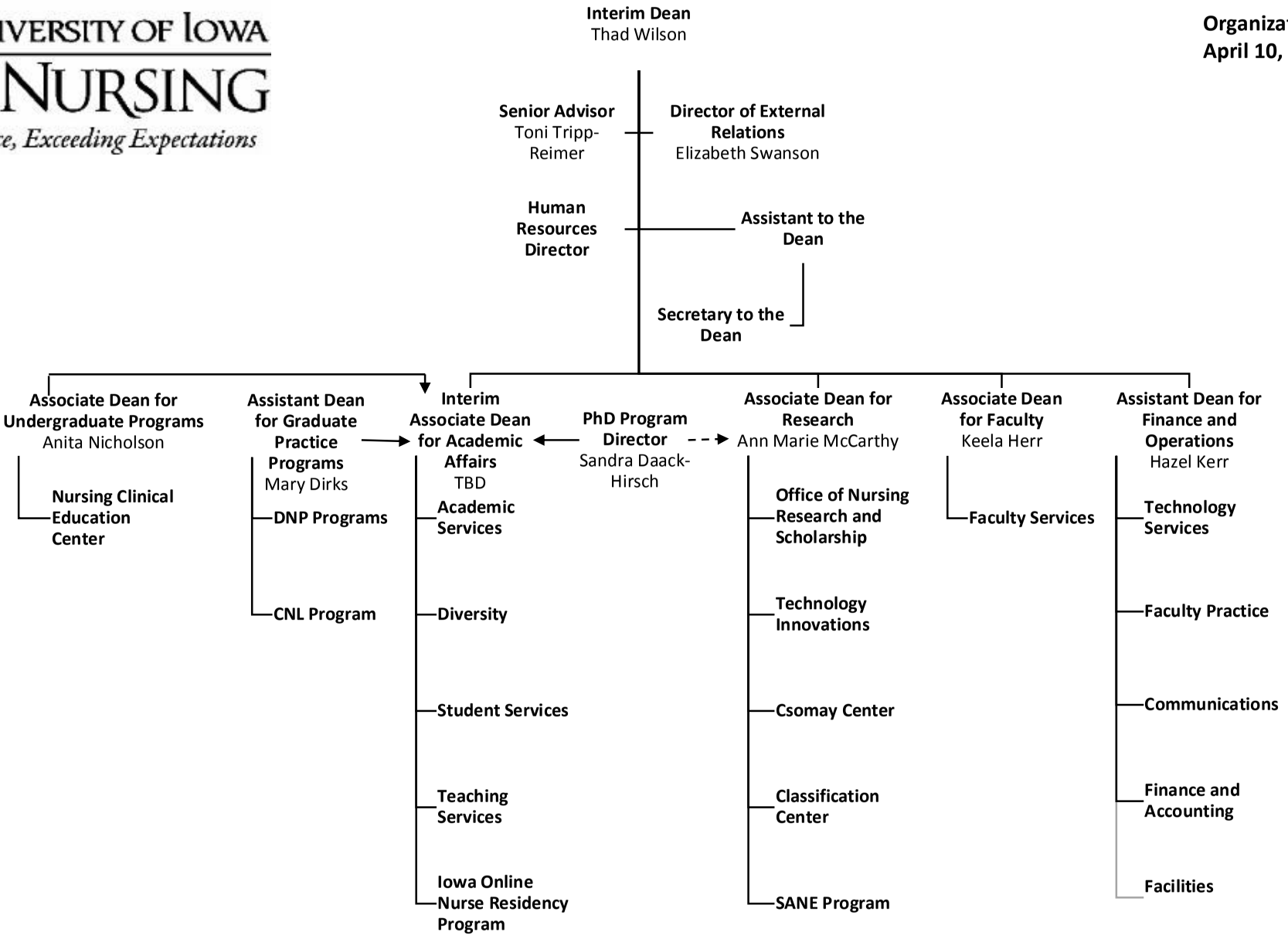
University of Iowa Carver College of Medicine

UI Health Care Overview

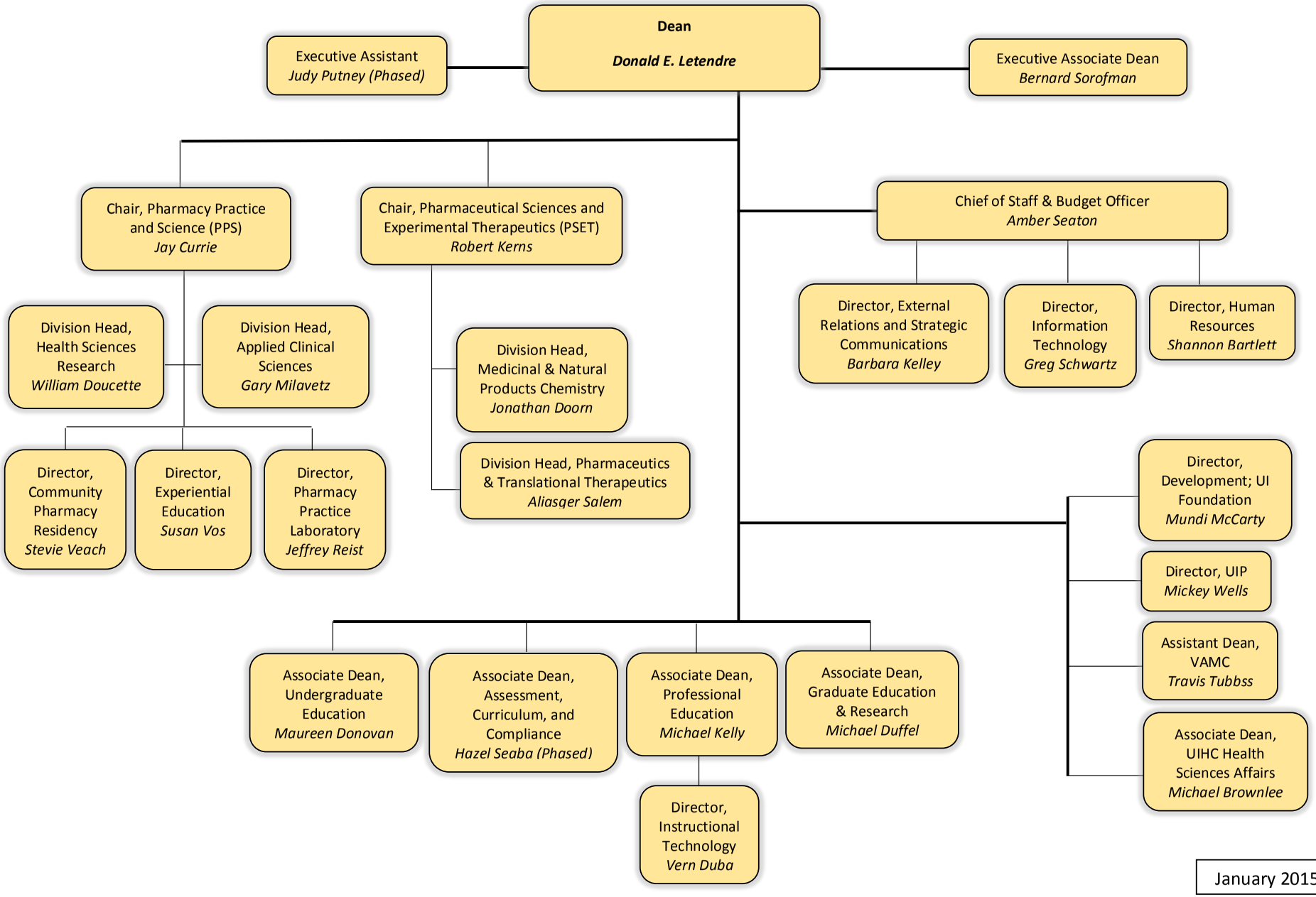


THE UNIVERSITY OF IOWA
COLLEGE OF NURSING
Inspiring Excellence, Exceeding Expectations

Organization Chart
April 10, 2017



College of Pharmacy – University of Iowa
Administrative Organizational Chart
2014-2015



January 2015

The University of Iowa
College of Public Health
FY 2016

Dean
S. Curry

f Advisors
ls from alumni,
rivate sectors,
a, Iowa State
nd University of
ern Iowa

Administrative Committee
Executive Committee

Associate Dean for Public Health Practice
C. Atchison

Associate Dean for Faculty Affairs
J. Dawson

Associate Dean for Research
C. Peek-Asa

Associate Dean for Education and Student Affairs
T. Uden-Holman
- **Director, MPH Program** (TBN)
- **Director, Undergraduate Programs** (M. Chorazy)

Associate Dean for Administration
L. Cranston
- **Finance**
- **Human Resources**
- **Information Technology Services**
- **Facilities**

Director of Communications and External Relations
D. McMillan

Administrative Assistant to the Dean
K. Andrews

Faculty Council
Staff Council
Research Council
Student Association

Centers/Instit
- **Institute for Public He Practice** (C. Atchison, Uden-Holman)
  - **Upper Midwest Prepare Emergency Response L Center** (T. Uden-Holman)
  - **Midwestern Public Healt Center** (T. Uden-Holman)
- **Center for Public Hea** (J. Oleson)
- **Iowa Institute of Publ Research and Policy**
  - **Rural Policy Research In** (C. Fluharty)

nt of Biostatistics
ugh (Interim Head)
cal Consulting

ials Statistical and
agement Center

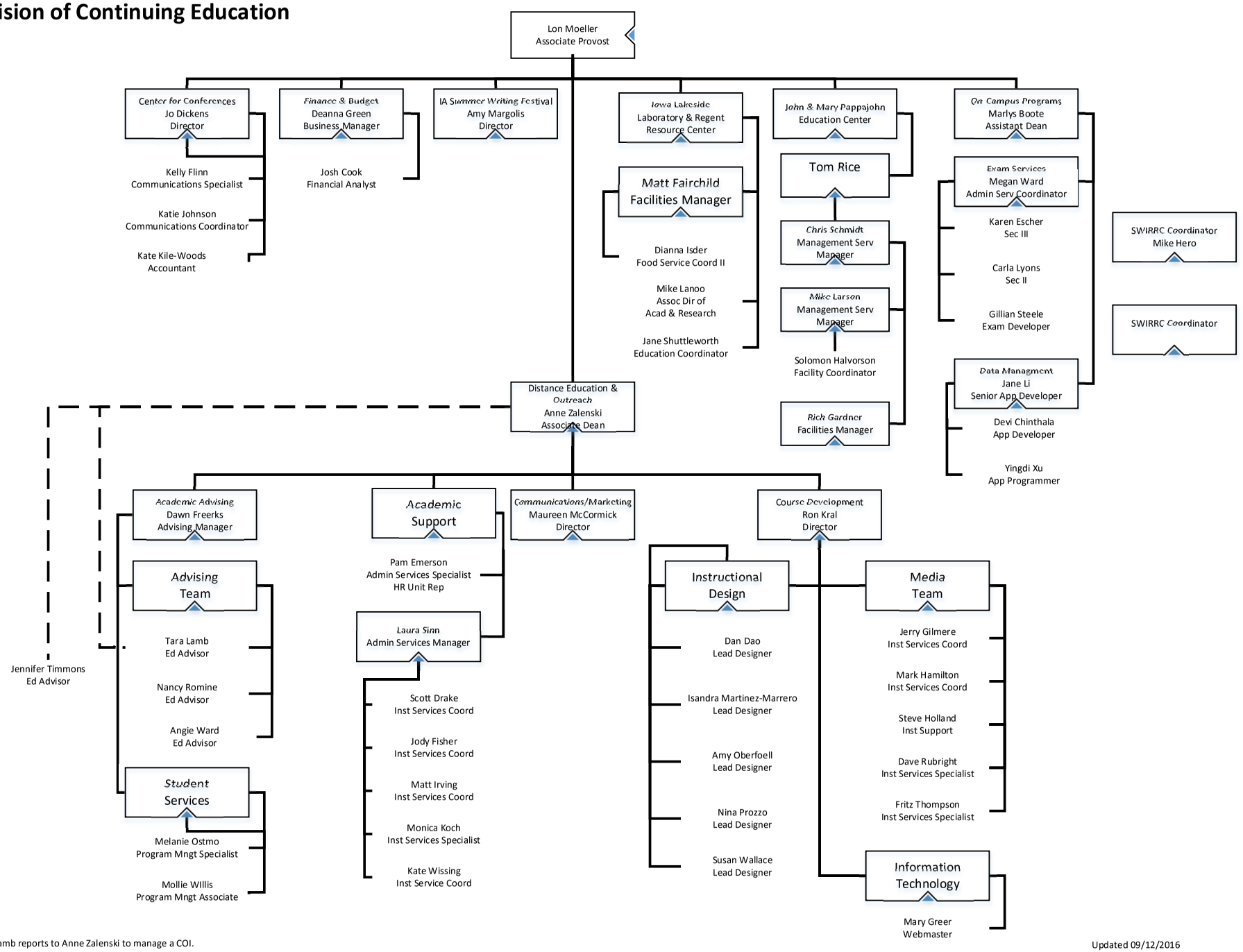
Department of Community and Behavioral Health
E. Parker (Head)
- National American Indian and Alaskan Native Addiction Technology Transfer Center
- Prevention Research Center for Rural Health

Department of Epidemiology
J. Torner (Head)
C. Lynch (Associate Head)
- Center for Education and Research on Therapeutics
- Center for Emerging Infectious Diseases
- Health Effectiveness Research Center
- Iowa Registry for Congenital and Inherited Disorders
- Nutrition Center
- Preventive Intervention Center
- State Health Registry of Iowa/Iowa Cancer Registry

Department of Health Management and Policy
K. Mueller (Head)
- Center for Health Policy and Research
- RUPRI Center for Rural Health Policy Analysis

Department of Occup Environmental H
P. Thorne (Hea
P. O'Shaughnessy (Asso
- Center for International Ru Environmental Health
- Environmental Health Scie Center
- Great Plains Center for Ag
- Healthier Workforce Cente
- Heartland Center for Occu and Safety
- Injury Prevention Research
- Iowa Superfund Basic Res
- Iowa's Center for Agricultu Health
- WORKSAFE IOWA

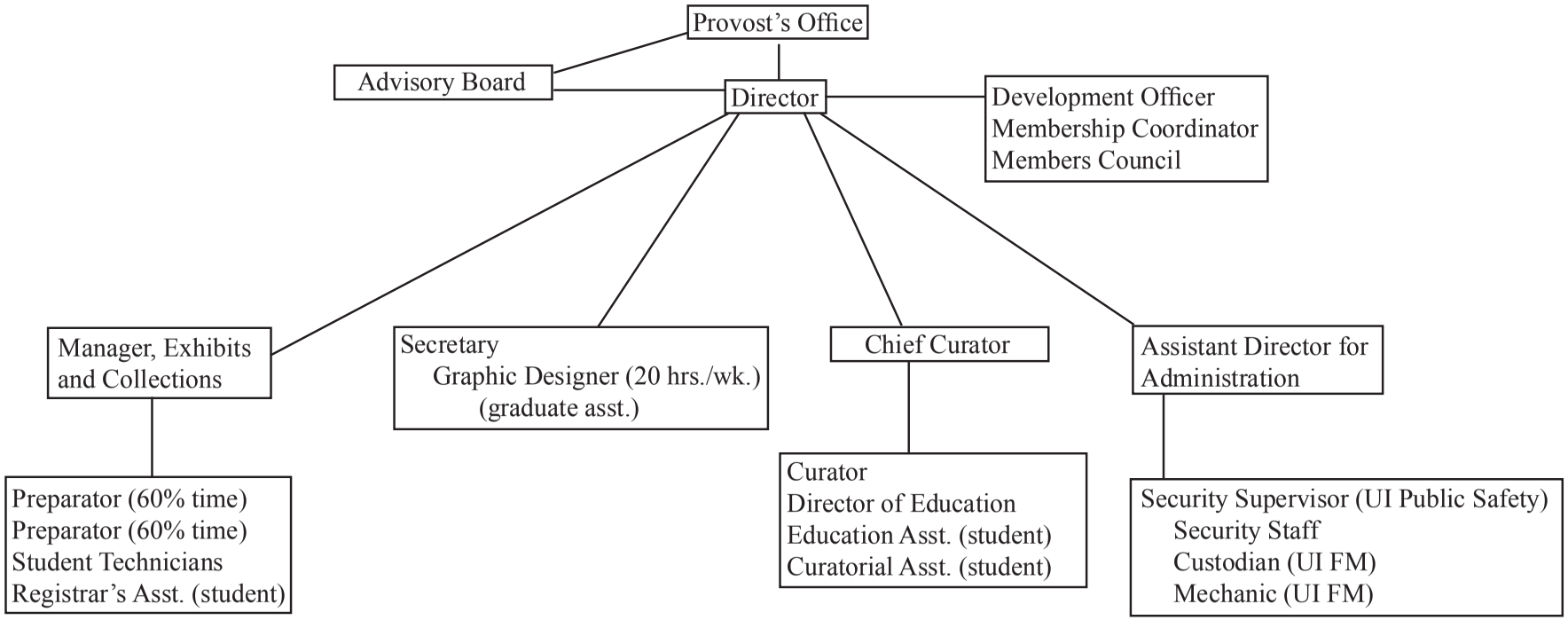
Division of Continuing Education



* Tara Lamb reports to Anne Zalenski to manage a COI.

Updated 09/12/2016

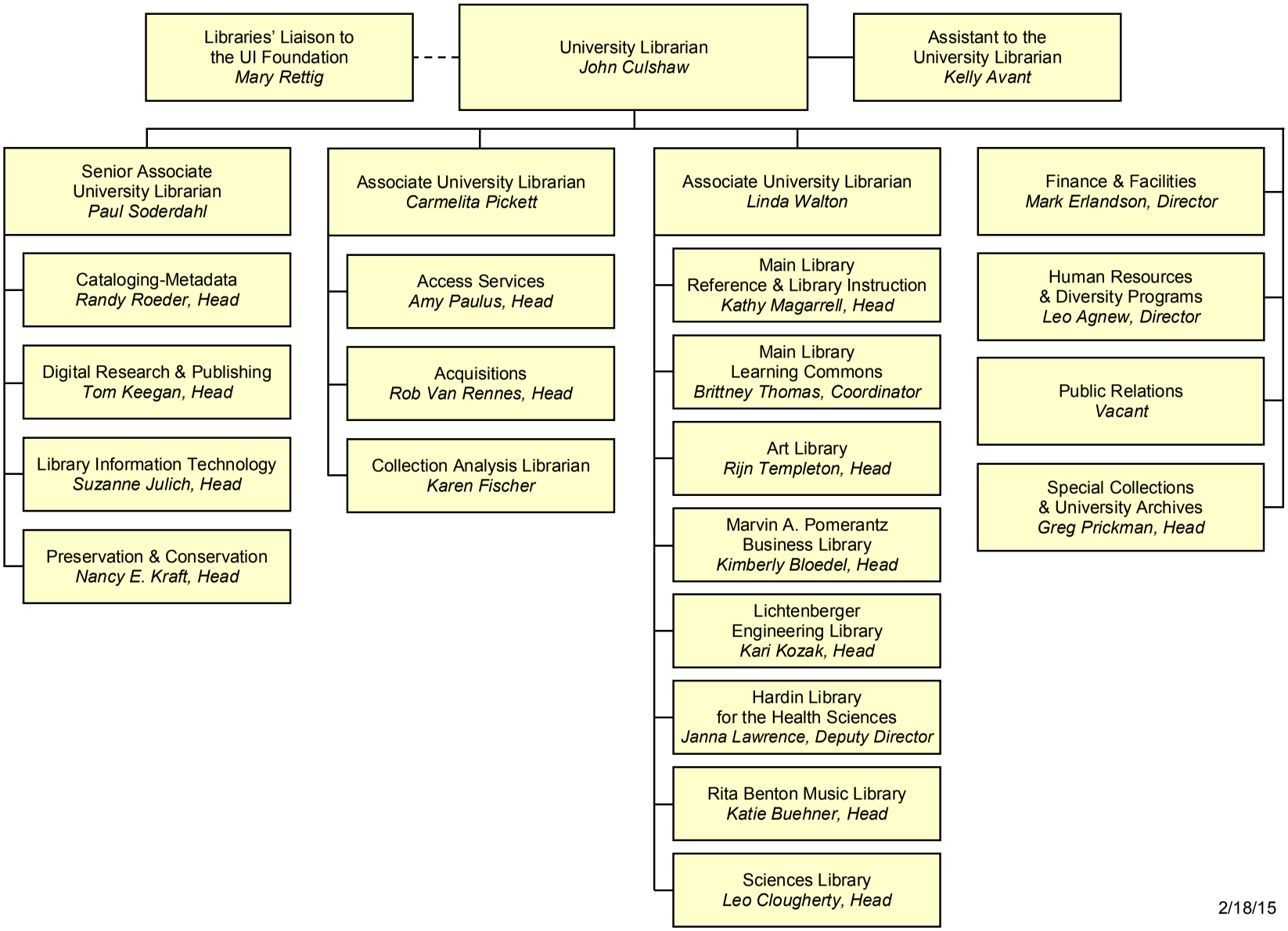
UIMA ORGANIZATIONAL CHART



December 2007

THE UNIVERSITY OF IOWA LIBRARIES

Organization Chart



2/18/15