

Contact: Ann McCarthy

FINAL REPORT OF THE BOARD OF REGENTS TRANSPARENCY TASK FORCE

Recommended Action: Review the final report of the Regents Transparency Task Force and consider approval of the Transparency Task Force recommendations.

Executive Summary: In February 2013, the Board of Regents approved the formation of a nine member Transparency Task Force. The charge of the Task Force was twofold:

- Recommend best practices for responding to public information requests.
- Recommend best practices for additional access to public information of interest to Iowans.

The Transparency Task Force held four public hearings between April 17, 2013, and May 2, 2013, originating in the Des Moines area, Council Bluffs, Iowa City and Dubuque. Iowans were invited to attend one of 38 Iowa Communications Network (ICN) sites in 38 communities across the state to offer their input on transparency at the public universities, the two special schools, the Board of Regents and the Board of Regents office. A total of 31 individuals, including students, faculty, and alumni, and testified at the 38 sites.

The Transparency Task Force also invited Iowans to submit written comments by utilizing the Board of Regents web site or by mailing comments to the Board of Regents office. As of July 24, 2013, the Transparency Task Force received 140 written comments.

A summary of the public comments, audio recordings of the public hearings and copies of the written comments may be found on the Board of Regents web site:

<http://www.regents.iowa.gov/TransparencyTaskForce/meetings.htm>

Between April 5, 2013, and June 19, 2013, the Transparency Task Force conducted three meetings for the purpose of reviewing the public input, obtaining information on current transparency efforts and receiving input from additional individuals, including a national expert on transparency in higher education.

At the June 19, 2013 meeting, the eight attending members of the Transparency Task Force unanimously approved the following recommendations for consideration by the Board of Regents:

Recommend best practices for responding to public information requests

1. Request each public university, the special schools and the Board Office appoint a Transparency Officer or similarly named position. The person in this position or designee would maintain the log and track public records requests. The Task Force recommends that the Board of Regents consult with the president of each university and the superintendent of the special schools to determine the specific duties and reporting authority for the Transparency Officer.

Recommend best practices for responding to public information requests

2. Keep a central log of all public records requests. A log might contain the following:
 - a. Date of request
 - b. Name of person requesting the information
 - c. Type of records requested
 - d. Date the records are completed or guidance relating to the expected release date.
 - e. Legal authority for redaction
 - f. Name of the person assigned by the Transparency Officer to gather the information.

3. Maintain copies of any redacted information in case this information is needed in the future.
4. Similar to the current practice at the University of Iowa, require each university, the Board Office and the special schools to post on their respective web sites the public records requests received. (See: Univ. of Iowa: <https://publicrecords.uiowa.edu/request-log>)
5. Require that summary transparency reports be created and released quarterly to relevant Iowa media by the Board Office, the public universities and the special schools. Each report would tabulate numerically the media and public requests and dispositions. Each report might also offer brief narrative highlights of transparency requests and dispositions during the reporting period.

Recommend best practices for additional access to public information of interest to Iowans.

1. Hold a public comment hearing at each university, at the Board Office and at the special schools prior to each Board of Regents meeting.
 - a. Students, faculty, parents, alumni and citizens have an opportunity to provide comments on any issue affecting the Board of Regents, including the upcoming Board meeting agenda.
 - b. Each hearing shall last a minimum of one hour.
 - c. The Transparency Officers or designees will preside at each hearing.
 - d. The dates and times of the public hearings are staggered to maximize public input.
 - e. Each public hearing shall be video recorded and posted on the Board of Regents web site. A link to the video recordings shall be forwarded to each member of the Board of Regents.
 - f. Comments received during each public hearing shall be reviewed by the officers of the Board of Regents to determine if an issue raised during a public hearing should be placed on a future meeting agenda of the Board of Regents or if persons testifying at the public hearing should be invited to appear before the Board of Regents.
2. Establish a written public comment option for all docket decision items on each Board of Regents agenda. (See Alabama: <http://www.ache.state.al.us/Forum/Index.htm>)
3. Amend the Board of Regents policy relating to a request to appear before the Board so a request to speak is due after the Board agenda is made available to the public.
4. Require that academic program closures occur only at an in-person meeting of the Board of Regents.
5. Provide each member of the Board of Regents with a state e-mail account.
6. Post Regent conflict of interest papers on Board of Regents web site.
7. Establish a transparency data page on each university, special school and the Board of Regents web site.
8. Create a data base of frequently asked questions. Based upon timeliness of an issue or frequency of citizen contact with the Board of Regents, a question or issue and the response will be posted on the Board of Regents web site.
9. Hold a press briefing upon release of the docket. Staff from the Board of Regents Office would conduct the press briefing.
10. Require the Board of Regents to annually hold a minimum of one Board meeting in each congressional district.

The final report of the Transparency Task Force, including the above mentioned recommendations, is included with this docket item.

Board of Regents, State of Iowa

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Regents Transparency Task Force Final Report

Background and Charge of Task Force

Iowans expect a great deal from our three public universities and two special schools. As stewards of public money and tuition dollars, each university understands the need to be open and accessible. Also, Iowa's hearing and vision impaired students deserve the highest standards of accountability.

In February 2013, the Board of Regents approved the formation of a Transparency Task Force. At the March 2013 meeting, the Board approved the membership and charge of the Task Force.

The charge of the Task Force was twofold:

- Recommend best practices for responding to public information requests.
- Recommend best practices for additional access to public information of interest to Iowans.

Task Force Members

Critical to the success of the effort, the Board of Regents required the membership of the Transparency Task Force to include a broad representation of persons knowledgeable in open records and public information, as well as the operations of the three public universities, the two special schools and the Board of Regents. As approved by the Board, the Transparency Task Force consisted of the following designated representatives:

- One member of the Governor's Iowa Public Information Board;
- Two members of the Iowa legislature – One member to be appointed by the Speaker of the House, and one from the Senate to be appointed by the Senate Majority Leader;
- One Regent to be appointed by the Board president who will serve as the chairperson of the Task Force;
- Three members from Iowa's public universities, one from each university to be appointed by the university president;
- The Executive Director of the Board of Regents or designee;
- One member of the public;
- The Board's general counsel or designee who will act as an ex officio member of the Task Force;
- Additional members to be considered by the Board president, as appropriate;

The Board of Regents initiated a public process asking Iowans to nominate individuals to fill the public member position on the Task Force. At the March 2013 meeting, the Board of Regents appointed the following individuals to the Transparency Task Force:

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Kathleen Richardson - Governor's Iowa Public Information Board
Representative Peter Cownie - Iowa House of Representatives
Senator Jeff Danielson - Iowa Senate Senator
Nicole Carroll - Board of Regents
Mark Braun - University of Iowa
Miles Lackey - Iowa State University
Dr. John Johnson - University of Northern Iowa
Patrice Sayre – designee of the Executive of the Board of Regents
Jack Lashier - Public Member
Tom Evans/Aimee Clayton - Legal Counsel, Board of Regents – non-voting

The contact list for the members is available on the Transparency Task Force page on the Board of Regents web site: <http://www.regents.iowa.gov/TransparencyTaskForce/members.htm>

Public Input – Public Hearing, Written Comments

In a concerted effort to gather input from Iowans across the state, the Transparency Task Force held four public hearings between April 17, 2013, and May 2, 2013, originating in the Des Moines area, Council Bluffs, Iowa City and Dubuque. Iowans were invited to attend one of 38 Iowa Communications Network (ICN) sites in 38 communities across the state to offer their input on transparency at the public universities, the two special schools, the Board of Regents and the Board of Regents office. A total of 31 individuals, including students, faculty, and alumni, and testified at the 38 sites.

In addition, the Transparency Task Force invited Iowans to submit written comments by utilizing the Board of Regents web site or by mailing comments to: Transparency Task Force, c/o Iowa Board of Regents, 11260 Aurora Avenue, Urbandale, Iowa 50322. As of July 16, 2013, the Transparency Task Force received 140 written comments.

The summary of the public comments, the audio for each public hearing and the written comments may be found on the Transparency Task Force page on the Board of Regents web site. See <http://www.regents.iowa.gov/TransparencyTaskForce/meetings.htm>

Meetings of the Transparency Task Force

The Transparency Task Force conducted three meetings between April 5, 2013, and June 19, 2013. The Task Force reviewed background information on current transparency efforts at the three public universities, the two special schools and the Board of Regents office. In addition, testimony was received from individuals including the chairperson of the Governor's Public Information Board, six media representatives and a national expert on transparency in higher education.

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April 5, 2013 Meeting

The first meeting of the Task Force was held on Friday, April 5, 2013, from 9:00 a.m. until 12:00 p.m. at the John & Mary Pappajohn Education Center, 1200 Grand Avenue, Room 328, Des Moines, Iowa.

The April 5 agenda, agenda materials and audio of the meeting may be found on the Board of Regents Transparency Task Force web page:

<http://www.regents.iowa.gov/TransparencyTaskForce/ttf.htm>

May 10, 2013 Meeting

The second meeting of the Task Force was held on Friday, May 10, 2013, from 9:00 a.m. until 12:00 p.m. at the John & Mary Pappajohn Education Center, 1200 Grand Avenue, Room 328, Des Moines, Iowa.

The May 10 agenda, agenda materials and audio of the meeting may be found here:

<http://www.regents.iowa.gov/TransparencyTaskForce/ttf.htm>

June 19, 2013 Meeting

A third meeting of the Task Force was held on Wednesday, June 19, 2013, from 9:00 a.m. until 10:00 a.m. at the John & Mary Pappajohn Education Center, 1200 Grand Avenue, Room 328, Des Moines, Iowa. At this third meeting, the Task Force discussed and formulated recommendations based upon the testimony and public comments received.

The June 19 agenda, agenda materials and audio of the meeting may be found on the Board of Regents Transparency Task Force web page:

<http://www.regents.iowa.gov/TransparencyTaskForce/ttf.htm>

Transparency Task Force Recommendations

On June 19, by a vote of 8-0, the attending voting members of the Transparency Task Force unanimously approved the following recommendations to the Board of Regents for consideration at the Board's August 2013 meeting:

First Charge: Recommend best practices for responding to public information requests.

1. Request each public university, the special schools and the Board Office appoint a Transparency Officer or similarly named position. The person in this position or designee would maintain the log and track public records requests. The Task Force recommends that the Board of Regents consult with the president of each university and the superintendent of the special schools to determine the specific duties and reporting authority for the Transparency Officer.
2. Keep a central log of all public records requests. A log might contain the following:
 - a. Date of request
 - b. Name of person requesting the information

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- c. Type of records requested
 - d. Date the records are completed or guidance relating to the expected release date.
 - e. Legal authority for redaction
 - f. Name of the person assigned by the Transparency Officer to gather the information.
3. Maintain copies of any redacted information in case this information is needed in the future.
4. Similar to the current practice at the University of Iowa, require each university, the Board Office and the special schools to post on their respective web sites the public records requests received. (See: Univ. of Iowa: <https://publicrecords.uiowa.edu/request-log>.)
5. Require that summary transparency reports be created and released quarterly to relevant Iowa media by the Board Office, the public universities and the special schools. Each report would tabulate numerically the media and public requests and dispositions. Each report might also offer brief narrative highlights of transparency requests and dispositions during the reporting period.

Second Charge: Recommend best practices for additional access to public information of interest to Iowans.

1. Hold a public comment hearing at each university, at the Board Office and at the special schools prior to each Board of Regents meeting.
 - a. Students, faculty, parents, alumni and citizens have an opportunity to provide comments on any issue affecting the Board of Regents, including the upcoming Board meeting agenda.
 - b. Each hearing shall last a minimum of one hour.
 - c. The Transparency Officers or designees will preside at each hearing.
 - d. The dates and times of the public hearings are staggered to maximize public input.
 - e. Each public hearing shall be video recorded and posted on the Board of Regents web site. A link to the video recordings shall be forwarded to each member of the Board of Regents.
 - f. Comments received during each public hearing shall be reviewed by the officers of the Board of Regents to determine if an issue raised during a public hearing should be placed on a future meeting agenda of the Board of Regents or if persons testifying at the public hearing should be invited to appear before the Board of Regents.
2. Establish a written public comment option for all docket decision items on each Board of Regents agenda. (See Alabama: <http://www.ache.state.al.us/Forum/Index.htm>)
3. Amend the Board of Regents policy relating to a request to appear before the Board so a request to speak is due after the Board agenda is made available to the public.
4. Require that academic program closures occur only at an in-person meeting of the Board of Regents.
5. Provide each member of the Board of Regents with a state e-mail account.
6. Post Regent conflict of interest papers on Board of Regents web site.

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7. Establish a transparency data page on each university, special school and the Board of Regents web site.
8. Create a data base of frequently asked questions. Based upon timeliness of an issue or frequency of citizen contact with the Board of Regents, a question or issue and the response will be posted on the Board of Regents web site.
9. Hold a press briefing upon release of the docket. Staff from the Board of Regents Office would conduct the press briefing.
10. Require the Board of Regents to annually hold a minimum of one Board meeting in each congressional district.

Report submitted to the Board of Regents on August 8, 2013.