I. Frequently Asked Questions

II. Iowa House File 802 Requirements Related to Racism and Sexism Training at a Public Postsecondary Institution

August 5, 2021

This FAQ document is based on the university's current understanding of Iowa House File 802 as informed by the Act itself as well as its legislative history. As additional information becomes available, and as feedback and questions are received, this document may be updated periodically, and the most current version supersedes previous guidance.

Q. What is Iowa House File 802?

A. On June 8, 2021, Governor Reynolds signed into law House File 802, an Act establishing specific requirements related to racism and sexism trainings conducted at, and diversity and inclusion efforts by, state governmental entities, including Iowa's public postsecondary educational institutions.

Generally, the Act prohibits the state's public universities, including Iowa State, from conducting *manda or* staff or student trainings that teach, advocate, act upon, or promote specific prohibited defined concepts. The prohibited specific defined concepts are defined in the Act and are explained within this FAQ.
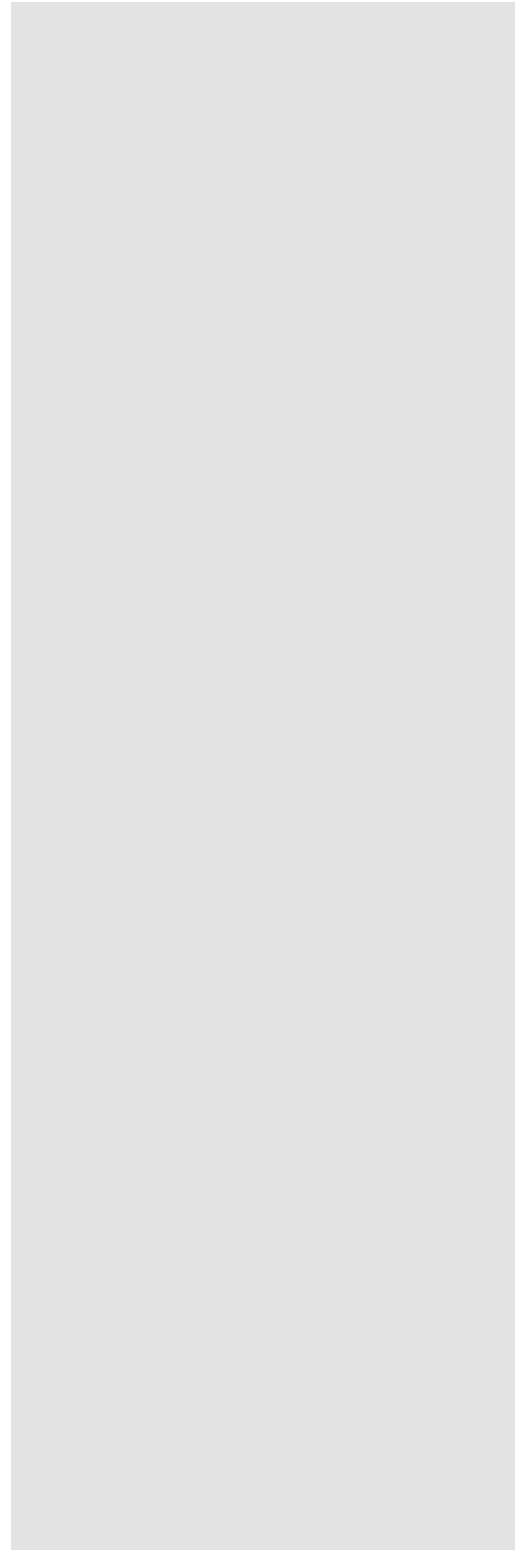
The Act also "prohibits" the regent universities and the universities' employees from

A. The Act applies to all "*manda or aff or den raining*" at the university, including mandatory trainings conducted by university staff and contractors hired by the university. The Act does not apply to voluntary programs and activities that staff and students may elect to attend or not to attend.

maintaining the essential principles and values of its ongoing diversity, equity and inclusion work.

Q. Does the Act Prohibit All Diversity and Inclusion Trainings and Educational Programs?

A. The Act does not affect, or minimally affects, the majority of diversity, equity, and

and should continue as they have in the past. Iowa State University remains firmly committed to the principles of diversity, equity, and inclusion, our Principles of Community, freedom of expression, and academic freedom.

Yet, because the Act is new and still being interpreted, it is still prudent to be mindful of the Act. Faculty who do touch upon the specific defined concepts in their courses are encouraged to consider the two key factors of student choice, germaneness, and open discussion, as described below, when assessing their courses or programs.

Q. What Factors Should I Consider to Mitigate My Risk Under the Act?

A. Instructors should consider the factors identified above to assess courses as follows:

- Is the course or course session required/mandatory? Elective courses are least likely to draw scrutiny under the Act because students voluntarily selected to participate in them with knowledge and notice of the subject matter. A mandatory course or course session that teaches the specific defined concepts may draw scrutiny.
- If specific defined concepts are taught, is the discussion of these concepts germane to the overall subject matter and learning objectives of the course? If the concepts are not germane to the course, the risk of drawing scrutiny under the Act increases and the university's academic freedom and scholarly discourse and germaneness policy is implicated.
- If discussion of specific defined concepts is germane, are these concepts presented, examined and studied in a way that promotes open discussion, including the opportunity for students to advance and freely express alternative viewpoints? If the specific defined concepts are germane to the subject matter of the course and are examined in an open way that allows for student academic freedom, the Act and the university's policy should not apply.

Q. I Teach a Course that Examines and Discusses One or More of the "Specific Defined Concepts." Do I Need to Change My Course?

A. The Act should not have any impact on courses already in compliance with university policy relating to academic freedom (FH

could be seen as a prohibited training, if the course or session functions like a mandatory training.

_____. The Act specifically permits discussion of the specific defined concepts in academic courses, when they are germane to the subject matter of the course as