

CHAPTER 6
PUBLIC RECORDS AND
FAIR INFORMATION PRACTICES

The Iowa college aid commission hereby adopts, with the following exceptions and amendments, rules of the Governor's Task Force on Uniform Rules of Agency Procedures relating to public records and fair information practices which are printed in the first Volume of the Iowa Administrative Code.

283—6.1(17A,22) Definitions. As used in this chapter:

"Agency." In lieu of "(official or body issuing these rules)" insert "Iowa college aid commission".

283—6.3(17A,22) Requests for access to records.

6.3(1) Location of record. In lieu of "(insert agency head)" insert "executive director"; and in lieu of "(insert agency name and address)" insert "Iowa College Aid Commission, 201 Jewett Building, Ninth and Grand, Des Moines, Iowa 50309".

6.3(2) Office hours. In lieu of "(insert customary office hours and, if agency does not have customary office hours of at least thirty hours per week, insert hours specified in Iowa Code section 22.4)" insert "8 a.m. to 4:30 p.m., Monday through Friday, except holidays".

6.3(7) Fees.

c. Supervisory fee. In lieu of "(specify time period)" insert "one hour".

283—6.6(17A,22) Procedure by which additions, dissents, or objections may be entered into certain records. In lieu of "(designate official)" insert "the Iowa college aid commission".

283—6.9(17A,22) Routine use.

6.9(1) Defined. "Routine use" means the disclosure of a record without the consent of the subject or subjects, for a purpose which is compatible with the purpose for which the record was collected. It includes disclosures required to be made by statute other than the public records law, Iowa Code chapter 22.

6.9(2) To the extent allowed by law, the following are considered routine uses of all agency records:

a. Disclosure of officers, employees, and agents of the agency who have a need for the record in the performance of their duties. The custodian of the record may, upon request of an officer or employee, or on the custodian's own initiative, determine what constitutes legitimate need to use confidential records.

b. Disclosure of information indicating an apparent violation of the law to appropriate law enforcement authorities for investigation and possible prosecution, civil court action, or regulatory order.

c. Disclosure to the department of inspections and appeals regarding matters in which it performs services or functions on behalf of the agency.

d. Transfers of information within the agency, to other state agencies, or to local units of government, as appropriate, to administer the program for which the information is collected.

e. Information released to staff of federal and state entities for audit purposes or to determine whether the agency is operating a program lawfully.

f. Any disclosure specifically authorized by the statute under which the record is collected or maintained.

283—6.10(17A,22) Consensual disclosure of confidential records.

6.10(1) *Consent to disclosure by a subject.* The subject may consent in writing to agency disclosure of confidential records as provided in rule 6.7(17A,22).

6.10(2) *Complaints to public officials.* A letter from a subject of a confidential record to a public official which seeks the official's intervention on behalf of the subject in a matter that involves the agency may be treated as an authorization to release sufficient information about the subject to the official to resolve the matter.

283—6.11(17A,22) Release to subject. The subject of a confidential record may file a written request to review the subject's confidential records. However, the agency need not release the following records to the subject:

1. The identity of a person providing information to the agency when the information is authorized as confidential pursuant to Iowa Code subsection 22.7(18).
2. The work product of an attorney or otherwise privileged information.
3. Peace officers' investigative reports, except as required by Iowa Code subsection 22.7(5).
4. Those otherwise authorized by law.

283—6.12(17A,22) Availability of records. This rule lists the agency records which are open to the public, those which are confidential, and those which are partially open and partially confidential.

Agency records are listed by category, according to the legal basis for confidential treatment (if any). The commission administers federally funded programs, as well as state programs, and is authorized by Iowa Code section 22.9 to enforce confidentiality standards for federal law and regulations as are required for receipt of the funds. A single record may contain information from several categories.

The chart indicates whether the record contains personally identifiable information, and indicates the legal authority for confidentiality and for the collection of personally identifiable information.

Abbreviations are used in the chart as follows:

Code	Meaning	Code	Meaning
O	The records are open for public inspection.	O/C	The record is partly open and partly confidential.
C	The records are confidential and are not open to public inspection.	O/E	The record is partially open to the public and partially exempt from disclosure.
E	The record is exempt from mandatory disclosure to members of the public.	PI	Personally identifiable information.
		NA	Not applicable.

DESCRIPTION OF RECORD	TYPE OF RECORD	LEGAL AUTHORITY FOR CONFIDENTIALITY	PERSONALLY IDENTIFIABLE INFORMATION	LEGAL AUTHORITY FOR PI INFORMATION
Records of Commission, Advisory Council, and Committees	O/E	Iowa Code 21.5	No	NA
Rule Making	O	NA	No	NA
Declaratory Ruling Records	O/C	Iowa Code 22.7	No	NA
Rules and Policy Manuals	O	NA	No	NA
General Correspondence	O/E/C	Iowa Code 22.7	Yes	NA
Publications <ul style="list-style-type: none"> • General • GSL • Scholarship and Grant 	O	NA	No	NA
Statistical Reports	O	NA	No	NA
Staff Reports	O	NA	No	NA
Financial & Administrative Records	O/E/C	Iowa Code 22.7	Yes	NA
Registration and Approval Records	O	NA	No	NA
Contracts and Interagency Agreements	O/C	Iowa Code 22.7(3)	No	NA
Sealed Bids Prior to Public Opening	C	Iowa Code 22.3, and 22.7	No	NA
Appeal Records	O/C	Iowa Code 22.7	Yes	NA
Litigation Files	O/E/C	Iowa Code 22.7	Yes	NA
Privileged Communication and Products of Attorneys Representing the Commission	E/C	Iowa Code 22.7, Iowa Code of Professional Responsibility for Lawyers, Canon 4	No	NA
Individual Applicant/Recipient Records				
• Guaranteed Student Loans (GSL)	C	Iowa Code 22.7	Yes	P.L. 89-329
• Parents Loans for Students (PLUS)	C	Iowa Code 22.7	Yes	Sec. 428[b-c] and Sec. 488[c]
• Supplementary Loans to Students	C	Iowa Code 22.7	Yes	Iowa Code 261.10
• Iowa Tuition Grants	C	Iowa Code 22.7	Yes	Iowa Code 261.2(4)
• Iowa State Scholarship	C	Iowa Code 22.7	Yes	Iowa Code 261.61
• Science and Mathematics Grant	C	Iowa Code 22.7	Yes	Iowa Code 261.17
• Iowa Vocational/Technical Tuition Grant	C	Iowa Code 22.7	Yes	Iowa Code 261.45
• Science and Mathematics Loan	C	Iowa Code 22.7	Yes	34 CFR Part 653.31
• Paul Douglas Scholarship	C	Iowa Code 22.7	Yes	Iowa Code 261.45
• Iowa Guaranteed Loan Repayment	C	Iowa Code 22.7	Yes	Iowa Code 261.2
• Iowa Medical Tuition Loan	C	Iowa Code 22.7	Yes	P.L. 89-329
• Claims	C	Iowa Code 22.7	Yes	Sec. 428[b-c] and Sec. 488[c]
• Collections	C	Iowa Code 22.7	Yes	
Program Records				
• Osteopathic Subvention	O	NA	No	NA
• Summer Institute	O	NA	No	NA
• Iowa Work/Study	O	NA	No	NA
• Iowa Tuition Grant	O	NA	No	NA
• Iowa State Scholarship	O	NA	No	NA
• Iowa Voc-Tech Tuition Grant	O	NA	No	NA
• Science and Math Grant	O	NA	No	NA
• GSL (EAGLE)	O	NA	No	NA
Applicant/Recipient Records may contain information from restricted sources:				
• Federal Tax Returns	C	Iowa Code 422.20	Yes	P.L. 89-329
• Iowa Dept. of Revenue and Finance	C	Iowa Code 422.20	Yes	Sec. 428[b-c]
• Education Records	C	Iowa Code 22.7	Yes	Sec. 488[c]

These rules are intended to implement Iowa Code section 261.3.

[Filed 5/13/88, Notice 4/6/88—published 6/1/88, effective 7/6/88]

CHAPTERS 7 to 9
Reserved