

CORRECTIONS DEPARTMENT[201]

Notice of Intended Action

**Proposing rulemaking related to uniform rules on agency procedure
and providing an opportunity for public comment**

The Department of Corrections (Department) hereby proposes to rescind Chapter 5, “Public Records and Fair Information Practices,” and to adopt new Chapter 2501, “Agency Procedure for Rulemaking,” Chapter 2504, “Rule Waivers,” Chapter 2505, “Fair Information Practices,” and Chapter 2506, “Contested Cases,” Iowa Administrative Code.

Legal Authority for Rulemaking

This rulemaking is proposed under the authority provided in Iowa Code chapters 17A and 22; Iowa Code sections 22.11, 356.36 and 904.108; and 2026 Iowa Acts, Senate File 2463, section 5.

State or Federal Law Implemented

This rulemaking implements, in whole or in part, Iowa Code chapter 904; Iowa Code sections 17A.3, 17A.4, 17A.7, 17A.9A, 22.11, 356.36 and 356.43; and 2026 Iowa Acts, Senate File 2463.

Purpose and Summary

This proposed rulemaking implements the transition to the statewide Uniform Rules on Agency Procedure as mandated by 2026 Iowa Acts, Senate File 2463. While the Department has adopted the majority of the uniform rules to ensure consistency across State government, this rulemaking includes critical additions and exceptions necessary to maintain institutional security and comply with correctional-specific statutes.

Pursuant to Senate File 2463, section 5, the Department has determined that the following modifications are necessary to fulfill its statutory duties under Iowa Code chapter 904.

Item 1: Chapter 5, “Public Records and Fair Information Practices.”

Modification: Rescind Chapter 5.

Justification: Senate File 2463 rescinds the majority of Chapter 5 effective July 1, 2026. The Department is required to maintain specific information policies regarding personally identifiable information (PII) pursuant to Iowa Code section 22.11. To avoid administrative “orphan” rules and potential confusion for the public, the Department is rescinding the entirety of Chapter 5 and simultaneously adopting the mandatory PII provisions within the new 201—Chapter 2505. This ensures all fair information practices are centralized and compliant with statutory requirements.

Item 2: Chapter 2501, “Agency Procedure for Rulemaking.”

Modification: Rule 201—2501.2(17A), regarding exemptions relating to incarcerated individuals/clients.

Justification: This addition reflects the Department’s existing authority under Iowa Code section 17A.2(11)“k,” which exempts policies, procedures, and statements relating only to inmates of a penal institution from the rulemaking process. These operational mandates are vital to the safe and orderly management of the incarcerated population. Maintaining these policies in departmental manuals and institutional manuals/handbooks, as well as on the Department’s website, ensures they remain easily accessible to staff, the public, and the incarcerated individual/client population. This approach provides the Department the necessary flexibility to update security protocols and behavioral expectations promptly in response to evolving institutional needs.

Item 3: Chapter 2504, “Rule Waivers.”

Modification: Rule 201—2504.6(904), regarding public availability and redaction of records.

Justification: Under Iowa Code section 904.602, the Department is the custodian of highly sensitive security and incarcerated individual/client data. While waiver petitions are public records,

the Department must have the explicit authority to redact information mandated as confidential by correctional statutes prior to public inspection to ensure that transparency does not compromise institutional safety or violate the privacy and confidentiality rights of incarcerated individuals/clients as protected under Iowa law.

Item 4: Chapter 2505, “Fair Information Practices.”

Modification 1: Subrule 2505.3(1), regarding location of record.

Justification: This clarification directs requesters to either the specific place of confinement or the Iowa Medical and Classification Center, ensuring requests are handled by the correct custodial unit, promoting timely response, and reducing administrative delays.

Modification 2: Paragraphs 2505.3(7)“b,” regarding fees and costs, and 2505.3(7)“c,” regarding advanced payment.

Justification: The Department is opting out of the uniform three-hour free labor threshold and the \$250 advance payment. These modifications are necessary because the Department manages a high volume of complex record requests that often require extensive manual searches and highly technical confidentiality reviews by staff and legal counsel. Requiring three hours of staff or attorney labor at no charge would create a significant unfunded mandate, materially increasing the administrative workload and diverting limited departmental resources away from core public safety and institutional security missions. The modified approach of providing 30 minutes of labor at no cost and requiring advance payment for estimated fees exceeding \$25 reflects the Department’s current successful practice. This structure appropriately balances the public’s right to access records with the Department’s need to manage resources responsibly. The \$25 advance payment threshold is vital to ensure the Department can recover the actual costs of labor and to prevent the expenditure of significant staff time on requests that are later abandoned or left unpaid.

Modification 3: Rule 201—2505.9(904), regarding confidentiality under Iowa Code chapter 904.

Justification: Records maintained by the Department are not only subject to Iowa Code chapter 22 but also the provisions of Iowa Code sections 904.601, 904.602, and 904.603. Including these provisions ensures requests are handled consistently with statutory confidentiality mandates and protects sensitive correctional, security, and incarcerated individual/client information.

Modification 4: Rule 201—2505.10(17A,22), regarding PII.

Justification: The Department is reintegrating the descriptions of PII systems, formerly located in Chapter 5. This reintegration is necessary to fulfill the requirements of Iowa Code section 22.11, which mandates that State agencies describe the nature and extent of the PII they collect. By housing this information within Chapter 2505, the Department ensures all fair information practices are centralized in a single chapter, preventing administrative straggler provisions and providing the public with a cohesive guide to departmental records.

Item 5: Chapter 2506, “Contested Cases.”

Modification: Rules 201—2506.32(17A,356) through 201—2506.35(17A,356).

Justification: Specific additions to the uniform rules on contested cases are required to implement Iowa Code sections 356.36(2) and 356.43. These provisions, previously located in 201—Chapter 12, establish the mandatory criteria for a Notice of Noncompliance, the informal settlement process, and the specific triggers for requesting a hearing regarding facility inspections. Centralizing these prehearing procedures within the new Chapter 2506 ensures local agencies have clear notice of the Department’s enforcement process before a formal contested case begins under the uniform rule framework.

Fiscal Impact

This rulemaking has no fiscal impact to the State of Iowa. The fee structure in Chapter 2505 is designed to be self-sustaining, allowing the Department to recoup the necessary expenses associated with public records production as authorized by Iowa Code section 22.3. Because the fees only offset the direct administrative costs of providing the service, there is no net impact on the State General Fund.

Jobs Impact

After analysis and review of this rulemaking, no impact on jobs has been found.

Waivers

Any person who believes that the application of the discretionary provisions of this rulemaking would result in hardship or injustice to that person may petition the Department for a waiver of the discretionary provisions, if any, pursuant to 201—Chapter 2504.

Public Comment

Any interested person may submit comments concerning this proposed rulemaking, which must be received by the Department no later than 4:30 p.m. on June 30, 2026. Comments should be directed to:

Jen Rathje
Iowa Department of Corrections
Jesse Parker State Office Building
510 East 12th Street
Des Moines, Iowa 50319
Phone: 515.802.0898
Email: jen.rathje1@iowa.gov

Public Hearing

A public hearing at which persons may present their views orally or in writing will be held as follows:

June 30, 2026
10:30 to 11:30 a.m.

Via Google Meet:
meet.google.com/hvv-ahah-wbf
Or dial: 1.401.589.5001
PIN: 100 610 029#

Persons who wish to make oral comments at the public hearing may be asked to state their names for the record and to confine their remarks to the subject of this proposed rulemaking.

Any persons who intend to attend the public hearing and have special requirements, such as those related to hearing or mobility impairments, should contact the Department and advise of specific needs.

Review by Administrative Rules Review Committee

The Administrative Rules Review Committee, a bipartisan legislative committee which oversees rulemaking by executive branch agencies, may, on its own motion or on written request by any individual or group, review this rulemaking at its [regular monthly meeting](#) or at a special meeting. The Committee's meetings are open to the public, and interested persons may be heard as provided in Iowa Code section 17A.8(6).

Emergency Rulemaking Adopted by Reference

This proposed rulemaking is also published herein as an Adopted and Filed Emergency rulemaking (see **ARC 0328D**, IAB 6/10/26). The purpose of this Notice of Intended Action is to solicit public comment on that emergency rulemaking, whose subject matter is hereby adopted by reference.