

REGENTS BOARD[681]

Notice of Intended Action

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

The Board of Regents hereby proposes to rescind Chapter 17, “Public Records and Fair Information Practices,” and to adopt new 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 262.

State or Federal Law Implemented

This rulemaking implements, in whole or in part, 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. The Board has adopted the majority of the Uniform Rules on Agency Procedure to ensure consistency across the State.

Pursuant to Senate File 2463, section 5, the Board has determined that the following modifications are necessary.

Item 1: Chapter 17, “Public Records and Fair Information Practices.”

The Board is required to maintain specific information policies regarding personally identifiable information (PII) pursuant to Iowa Code section 22.11. The Board is rescinding the entirety of Chapter 17 and simultaneously adopting the mandatory PII provisions within the new Chapter 2505. This ensures all fair information practices are centralized and compliant with statutory requirements.

Item 2: Adopting Chapter 2505, “Fair Information Practices.”

Modification 1: Paragraphs 2505.3(7)“b,” regarding fees and costs, and 2505.3(7)“c,” regarding advance payment.

Justification 1: The Board is opting out of the uniform three-hour free labor threshold and the \$250 advance payment. These modifications are necessary because the universities and Board Office manage a high volume of complex records requests that often require extensive manual searches and highly technical confidentiality reviews by staff and legal counsel. In many instances, responsive records are often maintained across multiple colleges, departments, and offices, requiring coordination among numerous custodians and significantly increasing the time and effort needed to fulfill requests. Requiring three hours of staff or attorney labor at no charge would create a significant unfunded mandate and materially increase the administrative workload. The modified approach of providing 30 minutes of labor at no cost and requiring advance payment for estimated fees exceeding \$25 is a reasonable extension of the Board’s existing practice. The \$25 advance payment threshold is vital to ensure the Board 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 2: Rules 681—2505.9(17A,22) and 681—2505.10(22), regarding PII.

Justification 2: The Board is reintegrating the descriptions of PII systems, formerly located in Chapter 17. 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 State agencies collect. This modification ensures all fair information practices are centralized in a single chapter.

Item 3: Adopting Chapter 2506, “Contested Cases.”

Modification: Rules 681—2506.27(17A) and 681—2506.32(17A), regarding appeals and review.

Justification: The Board is opting out of the uniform appeals procedure for contested cases to allow for the established appellate process under which matters are first reviewed by the university president before being appealed to the Board for final agency action.

Fiscal Impact

This rulemaking has no fiscal impact to the State of Iowa.

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 Board for a waiver of the discretionary provisions, if any, pursuant to 7—Chapter 2504.

Public Comment

Any interested person may submit written or oral comments concerning this proposed rulemaking, which must be received by the Board no later than 4:30 p.m. on September 22, 2026. Comments should be directed to:

Aimee Claeys, General Counsel
Board of Regents
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Urbandale, Iowa 50322
Phone: 515.281.6456
Email: aimee.claeys@iowaregents.edu

Public Hearing

No public hearing is scheduled at this time. As provided in Iowa Code section 17A.4(1)“b,” an oral presentation regarding this rulemaking may be demanded by 25 interested persons, a governmental subdivision, the Administrative Rules Review Committee, an agency, or an association having 25 or more members.

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 0554D**, IAB 9/2/26). 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.