

COLLEGE STUDENT AID COMMISSION[283]

Notice of Intended Action

Twenty-five interested persons, a governmental subdivision, an agency or association of 25 or more persons may demand an oral presentation hereon as provided in Iowa Code section 17A.4(1)“b.”

Notice is also given to the public that the Administrative Rules Review Committee may, on its own motion or on written request by any individual or group, review this proposed action under section 17A.8(6) at a regular or special meeting where the public or interested persons may be heard.

Pursuant to the authority of Iowa Code section 261.3, the Iowa College Student Aid Commission hereby gives Notice of Intended Action to amend Chapter 6, “Public Records and Fair Information Practices,” and Chapter 7, “Uniform Rules for Waivers,” Iowa Administrative Code.

The rules in Chapter 6 describe the Commission’s procedures for providing public records and describe fair information practices. These proposed amendments update the Commission’s address as identified by a regular review of the administrative rules and identify the availability of records to the public.

The rules in Chapter 7 describe the Commission’s uniform rules for waivers. These proposed amendments update the Commission’s address as identified by a regular review of the administrative rules.

Interested persons may submit comments orally or in writing by 4:30 p.m. on or before November 18, 2014, to the Executive Director, Iowa College Student Aid Commission, 430 East Grand Avenue, Third Floor, Des Moines, Iowa 50309-1920; fax (515)725-3401.

The Commission does not intend to grant waivers under the provisions of these rules.

After analysis and review of this rule making, the Commission finds that there is no impact on jobs.

These amendments are intended to implement Iowa Code chapter 261.

The following amendments are proposed.

ITEM 1. Amend subrule 6.3(1) as follows:

6.3(1) Location of record. A request for access to a record should be directed to the Executive Director, Iowa College Student Aid Commission, ~~200 Tenth Street, Fourth Floor~~ 430 East Grand Avenue, Third Floor, Des Moines, Iowa ~~50309-3609~~ 50309-1920. If a request for access to a record is misdirected, commission personnel will promptly forward the request to the appropriate person.

ITEM 2. Amend rule 283—6.12(17A,22) as follows:

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

Commission 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 partially open and partially 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.
<u>E/C</u>	<u>The record is exempt from mandatory disclosure to the public and is confidential and not open to public inspection.</u>	<u>O/E/C</u>	<u>The record is partially open to the public, partially exempt from disclosure, and partially confidential and not open to the public.</u>
		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 	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
Scaled Bids Prior to Public Opening	C	Iowa Code 22.3 ₂ and 22.7 and 72.3	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 (such as those collected under the Iowa Tuition Grant and Iowa Vocational-Technical Tuition Grant Programs)	<u>C</u>	<u>Iowa Code 22.7</u>	<u>Yes</u>	<u>P.L. 89-329</u>
•Guaranteed Student Loans (GSL)	E	Iowa Code 22.7	Yes	P.L. 89-329
•Parents Loans for Students (PLUS)	E	Iowa Code 22.7	Yes	Sec. 428[b-e]
•Supplementary Loans to Students	E	Iowa Code 22.7	Yes	Sec. 488[e]
•Iowa Tuition Grants	E	Iowa Code 22.7	Yes	Iowa Code 261.10
•State of Iowa Scholarship	E	Iowa Code 22.7	Yes	Iowa Code 261.2(4)
•Iowa Vocational-Technical Tuition Grant	E	Iowa Code 22.7	Yes	Iowa Code 261.17
•Paul Douglas Scholarship	E	Iowa Code 22.7	Yes	34 CFR Part 653.31
•Teacher Shortage Forgivable Loan	E	Iowa Code 22.7	Yes	Iowa Code 261.111
•Iowa Grant	E	Iowa Code 22.7	Yes	Iowa Code 261.97
•Osteopathic Physician Recruitment	E	Iowa Code 22.7	Yes	Iowa Code 261.19
•Accelerated Career Education Grant	E	Iowa Code 22.7	Yes	Iowa Code 261.22
•Iowa National Guard Educational Assistance	E	Iowa Code 22.7	Yes	Iowa Code 261.86
•Chiropractic Graduate Student Forgivable Loan	E	Iowa Code 22.7	Yes	Iowa Code 261.71

DESCRIPTION OF RECORD	TYPE OF RECORD	LEGAL AUTHORITY FOR CONFIDENTIALITY	PERSONALLY IDENTIFIABLE INFORMATION	LEGAL AUTHORITY FOR PI INFORMATION
• Gov. Terry E. Branstad Iowa State Fair Scholarship	C	Iowa Code 22.7	Yes	Iowa Code 261.24
• Claims	C	Iowa Code 22.7	Yes	P.L. 89-329
• Collections	C	Iowa Code 22.7	Yes	Sec. 428[b-c] and Sec. 488[c]
<u>State and Federal Program Records (such as those maintained under the Iowa Tuition Grant Program and the John R. Justice Student Loan Repayment Program)</u>	<u>O</u>	<u>NA</u>	<u>No</u>	<u>NA</u>
• Iowa Work Study	O	NA	No	NA
• Iowa Tuition Grant	O	NA	No	NA
• State of Iowa Scholarship	O	NA	No	NA
• Iowa Vocational Technical Tuition Grant	O	NA	No	NA
• GSL (EAGLE)	O	NA	No	NA
• Paul Douglas Scholarship	O	NA	No	NA
• Teacher Shortage Forgivable Loan	O	NA	No	NA
• Iowa Grant	O	NA	No	NA
• Osteopathic Physician Recruitment	O	NA	No	NA
• Accelerated Career Education Grant	O	NA	No	NA
• Iowa National Guard Educational Assistance	O	NA	No	NA
• Chiropractic Graduate Student Forgivable Loan	O	NA	No	NA
• Gov. Terry E. Branstad Iowa State Fair Scholarship	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	C	Iowa Code 422.20	Yes	Sec. 428[b-c]
• Education Records	C	Iowa Code 22.7	Yes	Sec. 488[c]

ITEM 3. Amend rule 283—7.10(261,ExecOrd11,17A) as follows:

283—7.10(261,ExecOrd11,17A) Filing of petition. A petition for a waiver must be submitted in writing to the commission's Executive Director, ~~200 Tenth Street, Fourth Floor,~~ 430 East Grand Avenue, Third Floor, Des Moines, Iowa 50309-3609 50309-1920.