

CHAPTER 5
PUBLIC RECORDS AND FAIR INFORMATION PRACTICES

[Prior to 10/17/90, see School Budget Review, 289—1.7(442, 22)]

Chapter rescission date pursuant to Iowa Code section 17A.7: 7/2/30

The school budget review committee hereby adopts, with the following exceptions and amendments, the Uniform Rules of Agency Procedure relating to public records and fair information practices, which are published at www.legis.iowa.gov/DOCS/Rules/Current/UniformRules.pdf on the general assembly's website.

289—5.1(17A) Definitions. As used in this chapter:

“Agency.” In lieu of the words “(official or body issuing these rules)”, insert “school budget review committee”.

[ARC 9331C, IAB 5/28/25, effective 7/2/25]

289—5.3(17A) Requests for access to records.

5.3(1) Location of record. In lieu of the words “(insert agency head)”, insert “chairperson of the committee”. In lieu of the words “(insert agency name and address)”, insert “School Budget Review Committee, Grimes State Office Building, 400 East 14th Street, Des Moines, Iowa 50319-0146”.

5.3(2) Office hours. In lieu of the words “(insert customary 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. daily, excluding Saturdays, Sundays, and legal holidays”.

5.3(7) Fees.

c. Supervisory fee. In lieu of the words “(specify time period)”, insert “one-half hour”. In lieu of the words “An agency wishing to deal with search fees authorized by law should do so here”, insert “The committee will give advance notice to the requester if it will be necessary to use an employee with a higher hourly wage in order to find or supervise the particular records in question, and shall indicate the amount of that higher hourly wage to the requester”.

[ARC 9331C, IAB 5/28/25, effective 7/2/25]

289—5.6(17A) Procedure by which additions, dissents, or objections may be entered into certain records. In lieu of the words “(designate office)”, insert “the office of the chairperson of this committee”.

[ARC 9331C, IAB 5/28/25, effective 7/2/25]

289—5.9(17A) Disclosures without the consent of the subject. Open records are routinely disclosed without the consent of the subject.

[ARC 9331C, IAB 5/28/25, effective 7/2/25]

289—5.10(17A) Routine use.

5.10(1) “Routine use” means the disclosure of a record without the consent of the subject or subjects, for a purpose for which the record was collected. It includes disclosures required to be made by statute other than public records law, Iowa Code chapter 22.

5.10(2) To the extent allowed by law, the following uses are considered routine uses of all committee records:

a. Disclosure to those members of the committee who have a need for the record in the performance of their duties.

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

[ARC 9331C, IAB 5/28/25, effective 7/2/25]

289—5.11(17A) Availability of records. Agency records are open for public inspection and copying unless otherwise provided by rule or law.

[ARC 9331C, IAB 5/28/25, effective 7/2/25]

289—5.12(17A) Rulemaking records. These records are routinely available to the public and may contain information about individuals making written or oral comments on proposed rules or proposing rules or rule amendments. This information is collected pursuant to Iowa Code sections 17A.3, 17A.4 and 17A.7. These records are stored on paper and not in an automated data processing system.

[ARC 9331C, IAB 5/28/25, effective 7/2/25]

289—5.13(17A) Applicability. This chapter does not require the agency to index or retrieve records that contain information about individuals by that person's name or other personal identifier.

[ARC 9331C, IAB 5/28/25, effective 7/2/25]

These rules are intended to implement Iowa Code section 17A.22.

[Filed emergency 9/16/88—published 10/5/88, effective 9/16/88]

[Filed 12/9/88, Notice 10/5/88—published 12/28/88, effective 2/1/89]

[Filed emergency 9/28/90—published 10/17/90, effective 9/28/90]

[Filed 12/21/90, Notice 10/17/90—published 1/9/91, effective 2/13/91]

[Editorial change: IAC Supplement 10/6/10]

[Filed ARC 9331C (Notice ARC 9056C, IAB 4/2/25), IAB 5/28/25, effective 7/2/25]