

CHAPTER 6
PUBLIC RECORDS AND FAIR INFORMATION PRACTICES

Chapter rescission date pursuant to Iowa Code section 17A.7: 1/1/28

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

817—6.1(17A,22) Definitions. As used in this chapter:

“Agency.” In lieu of “(official or body issuing these rules)” insert “Iowa Commission on Volunteer Service”.

817—6.3(17A,22) Requests for access to records.

6.3(1) Location of record. In lieu of “(insert agency head)”, insert “Commission coordinator”; and in lieu of “(insert agency name and address)”, insert “Iowa Commission on Volunteer Service, 321 East 12th Street, Des Moines, Iowa 50319”.

6.3(2) Office hours. In lieu of “(insert customary office hours and, if agency does n 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”.

[Editorial change: IAC Supplement 12/25/24]

817—6.6(17A,22) Procedure by which additions, dissents, or objections may be entered in certain records. In lieu of “(designate official)”, insert “the Iowa commission on volunteer service”.

817—6.9(17A,22) Routine use.

6.9(1) Defined. “Routine use” means the disclosure of a record without the consent 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 performs services or functions on behalf of the agency.

d. Transfers of information within the agency, to other state agencies, or to local units 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.

817—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.

817—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.

817—6.12(17A,22) Availability of records—volunteer service commission. Transferred to 441—9.19(22), IAC Supplement 6/14/23.

These rules are intended to implement Iowa Code chapters 17A and 22 and Executive Order No. 48

[Filed 11/16/94, Notice 6/22/94—published 12/7/94, effective 1/11/95]

[Editorial change: IAC Supplement 6/14/23]

[Editorial change: IAC Supplement 12/25/24]