

CHAPTER 4
PUBLIC RECORDS AND FAIR INFORMATION PRACTICES

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

11—4.1(8A,22) Definitions. As used in this chapter:

“Confidential record” means a record that is not available as a matter of right for examination and copying by members of the public under applicable provisions of law. Confidential records include records or information contained in records that the department is prohibited by law from making available for examination by members of the public, and records or information contained in records that are specified as confidential by Iowa Code section 22.7, or other provision of law, but that may be disclosed upon order of a court, the lawful custodian of the record, or by another person duly authorized to release the record. Mere inclusion in a record of information declared confidential by an applicable provision of law does not necessarily make that entire record a confidential record.

“Custodian” means the department, director, or another person lawfully delegated authority by the department to act for the department in implementing Iowa Code chapter 22.

“Department” means the department of administrative services.

“Open record” means a record other than a confidential record.

“Personally identifiable information” or *“individual identifiers”* means information about or pertaining to an individual in a record which identifies the individual and which is contained in a record system.

“Record” means the whole or a part of a “public record” as defined in Iowa Code section 22.1 that is owned by or in the physical possession of the department.

“Record system” means any group of records under the control of the department from which a record may be retrieved by a personal identifier such as the name of an individual, number, symbol, or other unique retriever assigned to an individual.

11—4.2(8A,17A,22) Statement of policy, purpose and scope. Rescinded by 2026 Iowa Acts, Senate File 2463, section 4, effective July 1, 2026.

11—4.3(8A,22) Requests for access to records. Rescinded by 2026 Iowa Acts, Senate File 2463, section 4, effective July 1, 2026.

11—4.4(8A,17A,22) Access to confidential records. Rescinded by 2026 Iowa Acts, Senate File 2463, section 4, effective July 1, 2026.

11—4.5(8A,17A,22) Requests for treatment of a record as a confidential record and its withholding from examination. Rescinded by 2026 Iowa Acts, Senate File 2463, section 4, effective July 1, 2026.

11—4.6(8A,22) Procedure by which a person who is the subject of a record may have additions, dissents, or objections entered into a record. Rescinded by 2026 Iowa Acts, Senate File 2463, section 4, effective July 1, 2026.

11—4.7(8A,17A,22) Consent to disclosure by the subject of a confidential record. Rescinded by 2026 Iowa Acts, Senate File 2463, section 4, effective July 1, 2026.

11—4.8(8A,17A,22) Notice to suppliers of information. Rescinded by 2026 Iowa Acts, Senate File 2463, section 4, effective July 1, 2026..

11—4.9(8A,22) Disclosures without the consent of the subject. Rescinded by 2026 Iowa Acts, Senate File 2463, section 4, effective July 1, 2026.

11—4.10(8A,22) Routine use. Rescinded by 2026 Iowa Acts, Senate File 2463, section 4, effective July 1, 2026.

11—4.11(8A,22) Consensual disclosure of confidential records. Rescinded by 2026 Iowa Acts, Senate File 2463, section 4, effective July 1, 2026.

11—4.12(8A,22) Release to subject. Rescinded by 2026 Iowa Acts, Senate File 2463, section 4, effective July 1, 2026.

11—4.13(8A,22) Availability of records. Rescinded by 2026 Iowa Acts, Senate File 2463, section 4, effective July 1, 2026.

11—4.14(8A,22) Personally identifiable information. This rule describes the nature and extent of personally identifiable information which is collected, maintained, and retrieved by the department by personal identifier in record systems as defined in rule 11—4.1(8A,22). Unless otherwise stated, the authority to maintain the record is provided by Iowa Code chapter 8A.

4.14(1) Retrieval. Personal identifiers may be used to retrieve information from any of the systems of records that the department maintains that contain personally identifiable information.

4.14(2) Means of storage. Paper, microfilm, microfiche, and various electronic means of storage are used to store records containing personally identifiable information.

4.14(3) Comparison. Electronic or manual data processing may be used to match, to collate, or to compare personally identifiable information in one system with personally identifiable information in another system of records or with personally identifiable information within the same system.

4.14(4) Comparison with data from outside the department. Personally identifiable information in systems of records maintained by the department is retrievable through the use of personal identifiers and may be compared with information from outside the department when specified by law. This comparison is allowed in situations including:

a. Determination of any offset of a debtor's income tax refund or rebate for child support recovery or foster care recovery (Iowa Code section 8A.504);

b. Calculation of any offset against an income tax refund or rebate for default on a guaranteed student loan (Iowa Code section 8A.504);

c. Offset from any tax refund or rebate for any liability owed a state agency (Iowa Code section 8A.504);

d. Offset for any debt which is in the form of a liquidated sum due, owing, and payable to the clerk of district court as a criminal fine, civil penalty surcharge, or court costs (Iowa Code section 8A.504).

4.14(5) Nature and extent. All of the record systems listed in subrule 4.14(6) contain personally identifiable information concerning matters such as income and social security numbers.

4.14(6) Record systems with personally identifiable retrieval. The department maintains the systems or records that contain personally identifiable and confidential information as described in the following paragraphs. The legal authority for the collection of the information is listed with the description or the system.

a. *Personnel files.* Personnel files are maintained by the department and the employee's appointing authority. An employee may have several files depending on the purpose of the file and the records maintained within the file. Personnel files consist of records that concern individual state employees and their families, as well as applicants for state employment.

(1) Personnel files contain personal, private, and otherwise confidential records related to a state employee's employment, performance and discipline and will be maintained as confidential in accordance with Iowa Code section 22.7(11) and any other applicable law.

(2) These records are collected in accordance with Iowa Code chapters 8A, 19B, 20, 70A, 85, 85A, 85B, 91A, and 509A and are confidential records under Iowa Code section 22.7(11) and other law.

b. *Employee payroll records.* The payroll records system consists of records that concern individual state employees and their families.

(1) Records under the jurisdiction of the department are collected in accordance with Iowa Code chapters 8A, 19B, 20, 70A, 85, 85A, 85B, 91A, and 509A, and portions are confidential records under Iowa Code section 22.7 and other law.

(2) These records contain names, social security numbers, and other identifying numbers and are collected in the form of paper, microfilm, tape, and electronic records. Electronic records permit the comparison of personally identifiable information in one record system with that in another system.

c. Vehicle dispatcher files. Vehicle assignments and credit card records may be accessed by personal identifier or by vehicle identification number. Other records which may contain personally identifiable information, but are not retrievable by it, are: mileage reports, auction information, automobile insurance premiums, pool car billings, departmental billing, motor fuel tax refund, and motor oil claims. Records are stored on paper, electronically, and on microfilm.

d. Capitol complex parking files. The general services enterprise maintains records concerning parking assignments, decals, gate cards, after-hours building passes, parking tickets, departmental parking coordinators, and hearings and appeals. All records except those related to hearings and appeals may be retrieved by personal identifier data. Records related to hearings and appeals are filed by date of hearing only. Records are stored on paper and electronically. Records relating to hearings and appeals are also stored on audio tapes.

e. Annual bid bonds. The printing division maintains a file of annual bid bonds for vendors eligible to bid on printing contracts. The file is alphabetical by vendor name and contains only those papers necessary for execution of the bond. This record is stored on paper only.

f. Telephone directory of state employees. The office of the chief information officer maintains a telephone directory of state employees. The directory contains names, department names, business addresses and telephone numbers. The publication also includes private industry information and advertising containing business names, addresses and telephone numbers. This record is stored both on paper and electronically.

g. Contracts. These are records pertaining to training, consultants, and other services. These records are collected in accordance with Iowa Code chapters 8A and 19B, and portions are confidential records under Iowa Code section 22.7. These records contain names, social security numbers, and other identifying numbers and are collected in the form of paper, microfilm, tape, and electronic records. Electronic records permit the comparison of personally identifiable information in one record system with that in another system.

h. Vendor files. The department maintains files of vendors eligible to do business with the state of Iowa. Files may contain applications, vendor information booklets, vendor codes, commodity codes, minority-owned vendor identification information, and mailing lists. Records are stored on paper and electronically.

4.14(7) *Releasable information on state employees.* The following information that is maintained in the state payroll system or a personnel file shall be released to the public without the consent of the employee because the information is not considered to be confidential information:

- a.* The name and compensation paid to the state employee.
- b.* The dates on which the state employee was employed by state government.
- c.* The position or positions that the state employee holds or has held with state government.
- d.* The state employee's qualifications for the position or positions that the state employee holds or has held including, but not limited to, educational background and work experience.
- e.* The fact that the state employee resigned in lieu of termination, was discharged, or was demoted as the result of disciplinary action and the documented reasons and rationale for the resignation in lieu of termination, the discharge, or the demotion.
- f.* Personnel settlement agreements between the state employee and the state employee's employer.

[ARC 1568C, IAB 8/6/14, effective 9/10/14; ARC 3215C, IAB 7/19/17, effective 7/1/17; ARC 4134C, IAB 11/21/18, effective 12/26/18]

11—4.15(8A,22) Other groups of records. This rule describes groups of records maintained by the department other than record systems retrieved by individual identifiers as defined in rule 11—4.1(8A,22). The records listed may contain information about individuals. These records are routinely available to the public, subject to costs. Unless otherwise designated, the authority for the department to maintain the record is provided by Iowa Code chapter 8A. All records may be stored on paper, microfilm, tape or in automated data processing systems unless otherwise noted.

4.15(1) *Rule-making records.* Official documents executed during the promulgation of department rules and public comments. This information is collected pursuant to Iowa Code chapter 17A.

4.15(2) *Board and commission records.* Agendas, minutes, and materials presented to boards and commissions within the department are available from the department except those records concerning closed sessions which are exempt from disclosure under Iowa Code section 21.5(4) or which are otherwise confidential by law. These records may identify individuals who participate in meetings. This information is collected pursuant to Iowa Code section 21.3. These records may also be stored on audiotapes.

4.15(3) *Publications.* Publications include but are not limited to news releases, annual reports, project reports, and newsletters which describe various department programs.

4.15(4) *Information about individuals.* Department news releases, final project reports, and newsletters may contain information about individuals, including staff or members of boards or commissions.

4.15(5) *Statistical reports.* Periodic reports of activity for various department programs are available from the department.

4.15(6) *Appeal decisions and advisory opinions.* All final orders, decisions and opinions are open to the public except for information that is confidential according to rule 11—4.5(8A,17A,22) or subrule 4.13(2). These records, collected under the authority of Iowa Code chapters 8A, 19B, 20, 70A, 85, 85A, 85B, 91A, 97A, 97B, 97C, and 509A, may contain confidential information about individuals.

4.15(7) *Published materials.* The department uses many legal and technical publications in its work. The public may inspect these publications upon request. Some of these materials may be protected by copyright laws.

4.15(8) *Published manuals.* The department uses many legal and technical publications in its work. The public may inspect these publications upon request. Some of these materials may be protected by copyright law.

4.15(9) *Mailing lists and contact lists.* The department maintains lists including names, mailing addresses, and telephone numbers of state employees, commission members, officials in government of other states, and members of the general public. These lists may be used for distribution of informational material, such as newsletters, policy directives, or educational bulletins. These lists are also used to provide contacts for coordination of services or as reference information sources.

4.15(10) *Publication sales files.* The general services enterprise maintains records of persons purchasing legal publications. Records are used to produce mailing lists for renewal notification and publication mailings. Records are maintained by ZIP code. These are paper records except for mailing list production.

4.15(11) *Bid/purchasing process.* The department maintains records of specifications, proposals, bid documents, awards, contracts, agreements, leases, performance bonds, requisitions, purchase orders, printing orders, supply orders, and correspondence.

4.15(12) *Project files.* The department maintains plans, specifications, contracts, studies, drawings, photos, blueprints, requests for services, abstracts, lease/rental files, 28E agreements, space administration, and facilities records.

4.15(13) *Property/equipment files.* The department maintains records of inventory, assignments, distribution, maintenance, requests, operations, shipping/receiving reports, and adjustments.

4.15(14) *Education program records.* Educational records include a library of training courses and reference materials, a library of course documentation, TSO data sets, Iowa interagency training system, class registrations of state employees, and files of course evaluations.

4.15(15) *Data processing files.* Data processing files include operations logs, database user requests, job number maintenance/update, data entry format book, integrated data dictionary, computer output forms designations, system software, hardware/software configurations, problem determination/resolution records, and incident reports.

4.15(16) *Federal surplus property records.* Donee files include applications for eligibility and records of distribution, transfer orders of property from other federal agencies, and auction files. Auction records are filed by auction date only, but award forms may contain names of individuals purchasing property.

4.15(17) *Administrative records.* Administrative records include the following:

- a. Reports: weekly, monthly, annual, biennial, statistical, analysis, activity.
 - b. Correspondence: public, interdepartmental, internal.
 - c. Policies and procedures.
 - d. Organizational charts or table of authorized positions.
 - e. Memberships: professional/technical organizations.
 - f. Budget and financial records.
 - g. Accounting records: accounts receivable, accounts payable, receipts, invoices, claims, vouchers, departmental billings.
 - h. Requisition of equipment and supplies.
- 4.15(18) *Legislative files.*** Legislative files include pending bills, enrolled bills, legislative proposals, and copies of amendments.
- 4.15(19) *Printing files.*** Printing files include print requisition, plates, negatives, samples, typesetting, artwork, and production logs.
- 4.15(20) *All other records.*** Records are open if not exempted from disclosure by law.

[ARC 4053C, IAB 10/10/18, effective 11/14/18; ARC 7018C, IAB 5/17/23, effective 6/21/23]

11—4.16(8A,22) Data processing systems. Some of the data processing systems used by this department may permit the comparison of personally identifiable information in one record system with personally identifiable information in another record system.

11—4.17(8A,22) Applicability. Rescinded by 2026 Iowa Acts, Senate File 2463, section 4, effective July 1, 2026.

11—4.18(8A) Agency records. Rescinded by 2026 Iowa Acts, Senate File 2463, section 4, effective July 1, 2026.

These rules are intended to implement Iowa Code chapters 8A and 22.

[Filed 12/17/03, Notice 11/12/03—published 1/7/04, effective 2/11/04]

[Filed 10/22/04, Notice 9/15/04—published 11/10/04, effective 12/15/04]

[Filed ARC 1568C (Notice ARC 1503C, IAB 6/11/14), IAB 8/6/14, effective 9/10/14]

[Filed Emergency After Notice ARC 3215C (Notice ARC 3072C, IAB 5/24/17), IAB 7/19/17, effective 7/1/17]

[Filed ARC 4053C (Notice ARC 3937C, IAB 8/15/18), IAB 10/10/18, effective 11/14/18]

[Filed ARC 4134C (Notice ARC 4021C, IAB 9/26/18), IAB 11/21/18, effective 12/26/18]

[Filed ARC 7018C (Notice ARC 6883C, IAB 2/8/23), IAB 5/17/23, effective 6/21/23]

[Content rescinded by 2026 Iowa Acts, Senate File 2463, section 4—editorially removed in IAC Supplement 7/8/26, effective 7/1/26]