

CHAPTER 24
PUBLIC RECORDS AND FAIR INFORMATION PRACTICES

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

The auditor of state hereby adopts, with the following exceptions and amendments, rules of the Governor's Task Force on Uniform Rules of Agency Procedure relative to public records and fair information practices which are printed in Volume I of the Iowa Administrative Code:

81—24.1(22) Definitions. As used in this chapter:

“*Agency.*” In lieu of the words “(official or body issuing these rules)”, insert “auditor of state”.

81—24.3(22) Requests for access to records. Rescinded by 2026 Iowa Acts, Senate File 2463, section 4, effective July 1, 2026.

81—24.6(22) Procedure by which additions, dissents, or objections may be entered into certain records. Rescinded by 2026 Iowa Acts, Senate File 2463, section 4, effective July 1, 2026.

81—24.9(22) Disclosures without the consent of the subject. Rescinded by 2026 Iowa Acts, Senate File 2463, section 4, effective July 1, 2026.

81—24.10(22) Routine use. Rescinded by 2026 Iowa Acts, Senate File 2463, section 4, effective July 1, 2026.

81—24.11(22) Consensual disclosure of confidential records. Rescinded by 2026 Iowa Acts, Senate File 2463, section 4, effective July 1, 2026.

81—24.12(22) Release to subject. Rescinded by 2026 Iowa Acts, Senate File 2463, section 4, effective July 1, 2026.

81—24.13(22) Availability of records. Rescinded by 2026 Iowa Acts, Senate File 2463, section 4, effective July 1, 2026.

81—24.14(22) Personally identifiable information. This rule describes the nature and extent of personally identifiable information which is collected, maintained, and retrieved by the agency by personal identifier in record systems as defined in 24.2(22). For each record system, this rule describes the legal authority for the collection of that information, the means of storage of that information and indicates whether a data processing system matches, collates, or permits the comparison of personally identifiable information in one record system with personally identifiable information in another record system. The record systems maintained by the agency are:

24.14(1) *Personnel files.* Employee personnel files containing information relative to an individual's employment history, such as hiring and recruitment correspondence, salary and payroll and benefit information, record of personnel actions, military status, affirmative action statistics, education and training completed, professional certification achievements, professional organizational involvement, independence statements, performance evaluation reports, personal information data and so on.

These records contain personally identifiable information, collected under the authority of Iowa Code section 19A.11. The information is maintained on paper and certain parts are also contained on the agency's data processing system as well as the state's mainframe automated data processing system. Personal information in employee personnel files is confidential under the authority of Iowa Code section 22.7(11).

24.14(2) *Payroll records.* Records showing individual earnings, hours worked, leave usage, class, position, salary range, deductions, net pay with agency summaries, and other related information.

These records contain personally identifiable information, collected under the authority of Iowa Code section 91A.6. The information is maintained on paper with certain records maintained on the state's payroll automated data processing system. Certain information contained in these records is confidential under the authority of Iowa Code section 22.7(11).

The information cited in subrules 24.14(1) and 24.14(2) above can be compared between record systems to a limited extent.

24.14(3) *Litigation files.* These files or records contain information regarding litigation or anticipated litigation, which includes judicial and administrative proceedings. The records include briefs, depositions, docket sheets, documents, correspondence, attorneys' notes, memoranda, research materials, witness information, investigation materials, information compiled under the direction of the attorney, and case management records. The files contain materials which are confidential as attorney work product and attorney-client communications. Some materials are confidential under other applicable provisions of law or because of a court order. Persons wishing copies of pleadings and other documents filed in litigation should obtain these from the clerk of the appropriate court which maintains the official copy.

81—24.15(22) Other groups of records. This rule describes groups of records maintained by the agency other than record systems as defined in 24.2(22). These records are routinely available to the public. However, the agency's files of these records may contain confidential information as discussed in 24.13(22). In addition, the records listed in 24.15(1) to 24.15(3) may contain information about individuals; however, these records are not retrieved by the name of the individual. All records are stored both on paper and in automated data processing systems unless otherwise noted.

24.15(1) *Published audit reports.* Audit reports and supporting working papers may contain information about individuals working for or doing business with the subject of the audit report. This information is collected pursuant to Iowa Code section 11.4. These reports and working papers are stored both on paper and microfiche records.

24.15(2) *Rule-making records.* Rule-making records may contain information about individuals making written or oral comment on proposed rules. This information is collected pursuant to Iowa Code section 17A.4. This information is not stored in an automated data processing system.

24.15(3) *Publications.* Project reports, agency newsletters, brochures, etc., may contain information about individuals, including agency staff or members of agency committees. This information is not stored in an automated data processing system.

24.15(4) *Published materials.* The agency 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.

24.15(5) *Agency employees' handbook.* The agency employees' handbook does not contain information about individuals.

24.15(6) *Other records.* All other records that are not exempted from disclosure by law.

81—24.16(22) Data processing systems. All data processing systems used by the agency for record systems described in 24.14(22) may permit the comparison of personally identifiable information in one record system with personally identifiable information in another record system.

81—24.17(22) Applicability. Rescinded by 2026 Iowa Acts, Senate File 2463, section 4, effective July 1, 2026.

These rules are intended to implement Iowa Code section 22.11.

[Filed 4/29/88, Notice 3/23/88—published 5/18/88, effective 6/22/88]

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