

Red Tape Review Rule Report

(Due: September 1, 2025)

Department Name:	Iowa Department of Education – Bureau of Iowa College Aid	Date:	7/22/2025	Total Rule Count:	12
IAC #:	283	Chapter/ SubChapter/ Rule(s):	Chapter 6	Iowa Code Section Authorizing Rule:	256.178
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PLEASE NOTE, THE BOXES BELOW WILL EXPAND AS YOU TYPE

What is the intended benefit of the rule?

This rule chapter is intended to explain the process of accessing public records.

Is the benefit being achieved? Please provide evidence.

The benefit of the rule is achieved by explaining the corresponding process.

What are the costs incurred by the public to comply with the rule?

The costs incurred are fees under rule 6.1(4).

What are the costs to the agency or any other agency to implement/enforce the rule?

The Commission is responsible for providing access to records maintained by the Commission.

Do the costs justify the benefits achieved? Please explain.

Yes, based on records requests the Commission has recieved.

Are there less restrictive alternatives to accomplish the benefit? ☐ YES ☒ NO

If YES, please list alternative(s) and provide analysis of less restrictive alternatives from other states, if applicable. If NO, please explain.

The statute requires rules.

Does this chapter/rule(s) contain language that is obsolete, outdated, inconsistent, redundant, or unnecessary language, including instances where rule language is duplicative of statutory language? [list chapter/rule number(s) that fall under any of the above categories]

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The rulemaking eliminates eight rules due to the content of those rules being largely duplicative of the Uniform Rules of Agency Procedure, which is being leveraged in this rulemaking.

RULES PROPOSED FOR REPEAL (list rule number[s]):

RULES PROPOSED FOR RE-PROMULGATION (list rule number[s] or include rule text if available):

ITEM 1. Rescind 283—Chapter 6, “Public Records and Fair Information Practices”, and adopt the following new chapter 6, “Public Records and Fair Information Practices”, in lieu thereof:

CHAPTER 6
PUBLIC RECORDS AND FAIR INFORMATION PRACTICES

The commission 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.

283—6.1(17A,22) Exceptions and additions.

6.1(1) *Definition of “agency.”* In lieu of the words “(official or body issuing these rules)”, insert “college student aid commission”.

6.1(2) *Request for access to record.* In subrule X.3(1), replace the paragraph with “Requests for access to records of the college student aid commission are to be directed to the Grimes State Office Building, Des Moines, Iowa 50319-0146, regardless of where those records are located.”

6.1(3) *Office hours.* In lieu of the words “(insert customary office 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)” in subrule X.3(2), insert “8 a.m.to 4:30 p.m. daily, excluding Saturdays, Sundays, and legal holidays”.

6.1(4) *Fees.* In paragraph X.3(7)“c,” in lieu of the words “(specify time period)”, insert “one hour”. The fee will be \$60 per hour.

6.1(5) *Procedure by which additions, dissents, or objections may be entered into certain records.* In rule X.6, in lieu of the words “(designate office)”, insert “the executive director of the college student aid commission”.

6.1(6) *Consent to disclosure by the subject of a confidential record.* In rule X.7, add the following paragraphs:

X.7(1) A letter from a subject of a confidential record to a public official who seeks the official’s intervention on behalf of the subject in a matter that involves the agency may to the extent permitted by law be treated as an authorization to release sufficient information about the subject to the official to resolve the matter.

X.7(2) The subject of a confidential record may file a written request to review confidential records about that person as provided in rule 281—5.6(22,256). However, the agency need not release records to the subject in the following circumstances:

a. The identity of a person providing information to the agency need not be disclosed directly or indirectly to the subject of the information when the information is authorized to be held confidential pursuant to Iowa Code section 22.7(18) or other provision of law.

b. Records need not be disclosed to the subject when they are the work product of an attorney or are otherwise privileged.

c. Peace officers’ investigative reports may be withheld from the subject, except as provided by the Iowa Code. (See Iowa Code section 22.7(5).)

d. As otherwise authorized by law.

X.7(3) Where a record has multiple subjects with interest in the confidentiality of the record, the agency may take reasonable steps to protect confidential information relating to another subject.

283—6.2(22,256) Disclosures without the consent of the subject.

6.2(1) Records that are not confidential are routinely disclosed without the consent of the subject.

6.2(2) Records that are confidential will be disclosed outside of the commission only with the consent of the subject of the record or in circumstances in which consent of the subject is not legally necessary.

6.2(3) Confidential records may be disclosed without consent of the subject to the extent allowed by law and to the extent in which the need to access the record is compatible with the purpose for which the record was collected. Purposes that fall within this guideline are considered routine uses of confidential records. Under these premises, the following are considered routine uses:

a. Disclosure to officers, employees, and agents of the commission who have a need for the record in the performance of their employment 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 a confidential record.

b. Transfers of information within the commission, to other state agencies, or to local units of government, as appropriate, to administer the program for which the information is collected.

283—6.3(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
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.
O/E/C	The record is partially open to the public, partially exempt from disclosure, and partially confidential and not open to the public.
E/C	The record is exempt from mandatory disclosure to the public and is confidential and not open to public inspection.
NA	Not applicable.

DESCRIPTION OF RECORD	TYPE OF RECORD	LEGAL AUTHORITY FOR CONFIDENTIALITY	PERSONALLY IDENTIFIABLE INFORMATION	LEGAL AUTHORITY FOR 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
Sealed Bids Prior to Public Opening	C	Iowa Code 22.3, 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)	C	Iowa Code 22.7	Yes	Sec. 428[b-c] and Sec. 488[c]
State and Federal Program Records (such as those maintained under the Iowa Tuition Grant Program and the John R. Justice Student Loan Repayment Program)	O	NA	No	NA

283—6.4(22,256) Applicability. This chapter does not:

6.4(1) Compel the commission to create a record that does not otherwise exist.

6.4(2) Require the commission to index or retrieve records that contain information about individuals by that person's name or other personal identifier.

6.4(3) Make available to the general public records that would otherwise not be available under Iowa Code chapter 22.

6.4(4) Govern the maintenance, disclosure or notification of or access to records in the possession of the commission that are governed by the rules of another agency.

6.4(5) Apply to grantees, including local governments or subdivisions thereof, administering state funded programs, unless otherwise provided by law or agreement.

6.4(6) Make available records compiled by the commission in reasonable anticipation of court litigation or formal administrative proceedings. The availability of such records to the general public or to any individual or party subject to such litigation or proceedings is governed by applicable legal and constitutional.

These rules are intended to implement Iowa Code chapter 17A.

****For rules being re-promulgated with changes, you may attach a document with suggested changes.***

METRICS

Total number of rules repealed:	8
Proposed word count reduction after repeal and/or re-promulgation	2,503
Proposed number of restrictive terms eliminated after repeal and/or re-promulgation	53

ARE THERE ANY STATUTORY CHANGES YOU WOULD RECOMMEND INCLUDING CODIFYING ANY RULES?

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