Iowa Department of Inspections and Appeals Public Records Policy and Procedures

Effective Date: December 10, 2012

Purpose: The purpose of this policy is to provide information on the procedures by which public records may be requested from the lowa Department of Inspections and Appeals (DIA), including any applicable fees.

II. Definitions:

- **A.** Chief Records Officer The DIA designated Chief Records Officer is the Public Information Officer.
- **B.** Confidential Record A confidential record, as used in this policy, means a record which is not available as a matter of right for examination and copying by members of the public under applicable provisions of law. A confidential record includes records or information contained in records that the agency is prohibited by law from making available for examination by members of the public, and records or information contained in the records that are specified as confidential by lowa Code section 22.7, or other provisions of law.
- **C.** Non-incidental Retrieval or Supervisory Services Services provided by DIA employees to persons requesting access to public records that exceed three (3) hours in duration and are over and above copying fees.
- **D. Open Record** An open record as used in this policy means a record other than a confidential record.
- **E. Public Record** Any record as defined in Chapter 22 of the lowa Code, including electronic records and electronic mail. A public record includes both confidential records and open records.

III. Procedure:

- A. Availability of a Public Record
 - 1. Open records will be available to the public during customary office hours, which are 8:00 a.m. to 4:30 p.m., Monday through Friday (except holidays). Immediate access to records may be affected by a good faith effort to verify the scope of the records request, locate the specific records requested, and determine whether any of the records or information contained therein is confidential in nature.
 - 2. DIA will make every effort to provide the public with access to open records in a prompt and efficient manner. If DIA discovers that

- circumstances will prolong a timely response, the Chief Records Officer or designee will notify the requestor at once and make alternate arrangements to provide the response in a manner that is satisfactory to the requestor and in compliance with relevant law.
- 3. Confidential records may be withheld and confidential information within an otherwise open record may be redacted prior to a record's release for public examination and copying. DIA will identify the document(s) and provide a brief statement of the reasons supporting the decision to withhold the confidential information from public examination.

B. Requests for a Public Record

- Requests for access to a public record may be made in person, in writing, by e-mail, or by telephone and should be directed to DIA's Public Information Officer.
- Requests transmitted by mail shall be addressed to: Department of Inspections and Appeals, ATTN: Public Information Officer, Lucas State Office Building, 321 E. 12th Street, Des Moines, Iowa 50319-0083. Requests by e-mail should include the term "Public Records Request" in the subject line and should be directed to: webmaster@dia.iowa.gov. Requests by telephone should be directed to the Public Information Officer at 515-281-7376.
- Persons who submit a request should provide their name and contact information and the method by which they prefer to receive the public records.
- 4. Requests for access to a public record shall identify the particular public record to which access is requested (scope), by name or description, in order to identify efficiently the desired record.

The requestor's description should:

- a. Specify the particular type of record sought;
- b. Specify the particular time period to be searched by providing a start and end date;
- c. Specify the author and/or recipient of the record requested, to the extent possible;
- d. Specify, to the extent possible, the particular medium to be searched (letters, memoranda, reports, recordings, etc.);

- e. Specify if the request applies to a record stored in electronic form; and
- f. Provide any other pertinent information that will assist the DIA in locating the record requested (please note the DIA can usually process a request for specific records more quickly than a request for "all information pertaining to" a particular subject). If the public record request applies to a record that is stored in electronic form, the requestor shall list the search terms to be used to conduct the electronic search.

C. Fees

- 1. Many of DIA's public records are available free of charge through the Department's website at http://www.dia.iowa.gov.
- 2. The DIA will charge a fee to produce public documents. The fee will never exceed actual cost. Actual cost is:
 - The actual cost of copies produced by printer or copier, with the first 10 pages provided for free. Actual cost of printed copies is 10 cents/page.
 - b. Hourly rate of the personnel fulfilling the request but not to exceed \$50/hour, excluding the first three (3) hours.
 - c. Hourly fee applies to time to locate records, personnel time to screen records to delete information that is not public, and personnel time to make copies and PDFs as needed.
 - d. If electronic data or records requiring special processing is maintained or administered by a third party, the requestor will pay the rate based on the fee structure established by the third party.
 - e. The actual postage cost may be added if records are mailed to the requestor.
- 3. Actual cost may vary according to the nature of the search that is specified by the requestor.
- 4. Whenever possible, an estimate of fees will be provided to the requestor before a search is initiated. If the fee is estimated to be \$200 or more, the requestor shall make payment in advance and provide written authorization to proceed with fulfilling the request.

