

Question: Does Chapter 21 of the Code of Iowa permit a final action to be taken in closed session? Do other sections of the Code permit meetings of governmental bodies to be closed?

Editor's Note: This is a monthly column prepared by the Iowa Public Information Board to update Iowans on the IPIB's activities and provide information on some of the issues routinely addressed by the board.



ANSWER: Chapter 21 requires final actions to be taken in open sessions. (For example, while the discharge of an employee may be discussed in closed session if the employee requests the closed session, the vote to discharge the employee must take place in open session.) Iowa Code section 21.5(3), however, does say that a final action by an agency may be taken in a closed meeting if expressly permitted by some other provision of the Code.

Other sections of the Iowa Code that allow closed meetings include at least these:

Section 20.17(3) exempts negotiating sessions, strategy meetings of public employers or employee organizations, mediation, and the deliberative process of arbitrators in the collective-bargaining process for public employees. (The first two sessions, in which the two sides present their initial bargaining positions, shall be open to the public, however.)

Section 279.15 exempts school board hearings to discuss with a teacher a superintendent's recommendation to terminate a contract with that teacher.

Section 602.2103 exempts hearings by the Commission of Judicial Qualification when it considers the retirement, discipline, or removal of a judge. But if the commission applies to the Supreme Court to remove or discipline a judicial officer or an employee of the judicial branch, those records are public documents.

Opinions, rulings, FAQs, monthly columns, and training documents are available on the IPIB website – www.ipib.iowa.gov. Questions for the IPIB can be posted on the website or by calling 515-725-1781.

IPIB FACTS AND FIGURES

During the month of February 2017, 48 contacts were made with the Iowa Public Information Board office.

<u>TYPE</u>	<u>FEBRUARY 2017</u>	<u>2017 YEAR-TO-DATE</u>
Formal complaints	7	16
Advisory opinions	0	0
Declaratory orders	0	0
Informal complaints	8	15
Informal requests	28	72
Miscellaneous	5	8
TOTAL:	48	111

Who can contact the IPIB and how long does it take?

Any person can contact the IPIB for assistance by telephone (515-725-1781), by email, or on the website. In February 2017, 48 identifiable people contacted the IPIB. Of these, 40% were private citizens, 40% were government officials or employees, and 20% were members of the media.

In February 2017, 63% of the incoming contacts were resolved the first day, 19% were resolved in one to five days, and 18% were resolved in six or more days.