

# Question: Can our board discuss something not on the agenda? Can some of us get together after the meeting adjourns?

*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:** The answer to both questions is generally “NO”.

Chapter 21 of the Iowa Code governs open meetings. The stated policy behind this chapter is to assure, “through a requirement of open meetings of governmental bodies, that the basis and rationale of governmental decisions, as well as those decisions themselves, are easily accessible to the people.” Furthermore, “ambiguity in the construction or application of this chapter should be resolved in favor of openness.” This chapter provides for rea-

sonable notice of meeting dates, times and locations and for the posting of an agenda. A citizen cannot attend a meeting without notice. Citizens need to know what will be discussed at a meeting. Without proper notice and an adequate agenda, meetings are not open and accessible to citizens.

When the members of a government body continue to discuss an agenda item among themselves after the meeting was adjourned, the meeting is not open and accessible to the public. While the definition

of a ‘meeting’ in Iowa Code section 21.2(2) requires deliberation or action and excludes ‘purely social or ministerial’ gatherings, any discussion of an agenda item can appear to reach the level of deliberation or action. Members should avoid any discussion among themselves after a meeting in order to remove even the appearance of impropriety.

## IPIB Facts and Figures

During the month of September 2016, 78 contacts were made with the Iowa Public Information Board office.

| <u>TYPE</u>         | <u>SEPTEMBER 2016</u> | <u>2016 YEAR-TO-DATE</u> |
|---------------------|-----------------------|--------------------------|
| Formal complaints   | 11                    | 89                       |
| Advisory opinions   | 0                     | 12                       |
| Declaratory orders  | 0                     | 1                        |
| Informal complaints | 5                     | 65                       |
| Informal requests   | 61                    | 508                      |
| Miscellaneous       | 1                     | 8                        |
| <b>TOTAL:</b>       | <b>78</b>             | <b>683</b>               |

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

Any person can contact the IPIB for information or assistance on an issue involving public records or open meetings by telephone (515-725-1781), by email, or on the website. So far, in 2016, 683 identifiable people have contacted the IPIB. Of these, 44% were private citizens, 43% were government officials or employees, and 13% were members of the media.

Most issues have been resolved in the same day. In the month of September 2016, 69% of the incoming issues were resolved the same day, 15% were resolved in one to five days, and 16% were resolved in six or more days.