

Question: Does discussing and viewing a document at a public meeting make that document a public record?

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.

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ANSWER: On November 19, 2015, the Iowa Public Information Board (IPIB) issued an Advisory Opinion, IPIB AO 2015-08, addressing this issue. The text of that opinion reads:

“The issue was recently raised concerning whether discussing and making viewable a document at a public meeting made the document a public record. We are of the opinion that a document that is discussed and made viewable to the public at a public meeting makes the document a “public record” that shall not be treated as confidential under Iowa

Code section 22.7. We note there are times when a confidential record is discussed or referenced at a public meeting. We do not deem such situations as removing the confidential nature of the record. Rather, this opinion applies solely to situations when the document is also made viewable or accessible to the public at the meeting.”

The IPIB also stated: *“We note at the outset that IPIB’s jurisdiction is limited to the application of Iowa Code chapters 21, 22, and 23, and rules in Iowa Administrative Code*

chapter 497. Advice in a Board opinion, if followed, constitutes a defense to a subsequent complaint based on the same facts and circumstances.”

This Advisory Opinion, along with other opinions, rulings, FAQs, monthly columns, and training documents, is 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 November 2015, 55 contacts were made with the Iowa Public Information Board office.

TYPE	NOV. 2015	JAN.-NOV. 2015
Formal complaints	4	92
Formal opinions	0	8
Declaratory orders	2	3
Informal complaints	7	142
Informal requests	42	495
Misc.	0	16
TOTAL:	55	756

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 mail (Margaret.Johnson@iowa.gov) or website (www.ipib.iowa.gov). So far, in 2015, 751 identifiable people have contacted the IPIB. Of these, 45% were private citizens, 41% were government officials or employees, and 14% were members of the media.

In the month of November 2015, 62% of the incoming contacts were resolved the first day, 20% were resolved in one to five days, and 18% were resolved in six or more days.