“Sunshine Advisory” Detailed Index

This index lists topics covered by the Attorney General’s “Sunshine Advisories,” which were first issued in November of 2001.

Sunshine Advisories discuss basic requirements and application of Iowa’s Open Meetings Law and Public Records Laws (Chapter 21 and Chapter 22 of the Iowa Code), or Iowa’s “sunshine laws.”

Open Meetings - An Overview of Key Laws

Agendas and Advance Notice
- **Advance Agendas for Public Meetings** (3/02)
- **Closed-Session Agendas: Is an agenda required for a closed session?** (7/04)
- **Agendas for Meetings – Stamp it, Mail it: Are public officials required to mail agendas in advance of meetings? Who pays for copies and postage?** (2/05)
- **Handling New Ideas at Public Meetings: Only emergencies trump notice and agenda requirements** (10/06)
- **Notice for Meetings of Governmental Bodies: What if more than one law requires notice?** (2/07)

Closed Sessions
- **Closed Governmental Meetings – Know the Nuts and Bolts for Closed Sessions** (7/02)
- **Recording What Goes on Behind Closed Doors** (4/03)
- **Closed Sessions: Who’s Left Inside When the Doors Close?** (10/03)
- **Closed-Session Agendas: Is an agenda required for a closed session?** (7/04)
- **Are Closed Sessions Confidential? Yes, but tapes and minutes may be released** (11/04)
- **Handling Government Personnel Matters: Can governmental bodies close a session to discuss hiring, performance evaluations, or discipline?** (11/05)
- **Can Public Bodies Negotiate in Private for the Purchase of Real Estate?** How does Iowa's Open Meetings law operate when public bodies are purchasing real estate? (4/06)

- **Closed Sessions for Governmental Bodies** -- Motions to close a meeting, and any final action, must be open. (9/06)

**Minutes**
- **Minutes of Public Meetings** – Minutes Should be Accurate, Complete, and Accessible (5/02)

**Public Access to Open Meetings**
- **Lights! Cameras! Action!** -- Public Access to Open Meetings (12/01)

**Quorum and Voting**
- **Counting Heads at a Public Meeting: How Many Officials are Needed for a Quorum?** (7/03)

  - "All in Favor, Say Aye . . ." Governmental bodies should conduct votes in a manner that ensures the public is informed and officials are accountable. (9/03)

**Rules of Conduct**
- **Rules of Conduct for Open Meetings: Tips to Strengthen Citizen Participation** (1/03)

**What is an Open Meeting?**
- **When is a Gathering an Open Meeting?** (2/02)

**Open Meetings - Specific Types of Meetings**

**Advisory Bodies and Committees**
- **Are Advisory Bodies Subject to Iowa’s Open Meetings Law?** (3/03)

  - **When Can Committees Gather in Private? Decision-Making Authority is a Key!** (7/05)

**Electronic Meetings**
- **Public Access to Electronic Meetings** (9/02)

  - **Can One Member of a Governmental Body Participate in a Meeting Electronically?** Iowa’s Open Meetings Law allows for individual electronic participation. (7/06)
Emergency Meetings
- Emergency Meetings: Can Good Cause Justify Less Notice? (3/04)
  - Handling New Ideas at Public Meetings: Only emergencies trump notice and agenda requirements (10/06)

Hearings
- Can governmental bodies hold hearings in closed session? “Yes, sometimes – but only if expressly authorized by statute.” (12/06)

Meeting after the Meeting
- Is There a Meeting After the Meeting? Are there notice requirements for subcommittees of public bodies? (5/04)

Non-Profit Gaming
- The Open Meetings Law Applies to Nonprofits Licensed to Conduct Pari-Mutuel Wagering or Gambling Games. (1/06)

Personnel Matters
- Handling Government Personnel Matters: Can governmental bodies close a session to discuss hiring, performance evaluations, or discipline? (11/05)

Real Estate Negotiations
- Can Public Bodies Negotiate in Private for the Purchase of Real Estate? How does Iowa's Open Meetings law operate when public bodies are purchasing real estate? (4/06)

Retreats and Working Sessions
- Retreats and “Working Sessions“ are Open Meetings (11/02)

Public Records - An Overview of Key Laws

Charging for Public Records
- Personally Examining Records -- Giving a "Free Peek" (11/01)
  - Charges Under the Public Records Law: Impose Only Actual Cost (4/05) [Note: The suggested practices in this Bulletin were enacted into law 7/1/05.]
  - Estimating Costs for Public Records Requests: “Just how much is this going to cost?” (11/06)
Confidential Public Records
- “Confidential” Public Records – The phrase “confidential public records” sounds contradictory (6/02)
- Which Records are Confidential? (1/04)
- Should a record be withheld from the public if it contains confidential information? No, officials usually can black out confidential information and release the rest. (8/06)

Electronic Public Records
- Public Access to Electronic Records (10/02)
- Logging on: How Do You Apply the Public Records Law in a Computer Age? Must government provide access to data processing software when public records are maintained on computers? (9/04)
- Paper Files? Electronic Files? Tapes? Public records are stored in many formats! (12/04)
- Can a Person "Examine" and "Copy" Electronic Data? Yes -- Electronic Data is a Public Record! (10/05)

Enjoining Production
- Releasing Public Records: Can courts block the release of an open record? (10/04)

“Golden Rules”
- Golden Rules for Public Records Requests (8/02)

Lawful Custodians and Contact Persons
- Public Records Contact Persons -- Helping Iowans with Access to Public Records (1/02)
- Who's in charge of deciding access to public records? The "lawful custodian" holds the key to examination and copying. (1/07)

Records Retention and Safeguarding Records
- Safeguarding Public Records -- Public officials need to facilitate access AND protect records. (4/02)
- Toss, Delete or Save? When should public bodies retain records? (2/04)
- Time for Spring Cleaning? How long must officials keep public records? (4/04)
Requesting Public Records

- Requests for Public Records (Must Citizens Show Up in Person?) (11/03) [Note: The suggested practices in this Bulletin were enacted into law 7/1/05.]

- Iowans Can Request Public Records by Telephone, Letter, Fax, or E-mail (5/05)

Timing of Production

- When Are Public Records Available for Examination and Copying? (8/03)

- Getting Access to Public Records: What is a Good Faith, Reasonable Delay? (8/05)

- The Copier Broke Down! Now What? Public officials must furnish copies - even when the copier breaks down! (9/05)

Public Records - Specific Types of Records

“911” Audio Tapes

- Can the Public Obtain Copies of "9-1-1" Audio Tapes? Yes -- audio tapes are just a different form of public record (2/06)

Autopsy Reports

- Deaths in a Community Can Raise Alarm: But Does the Public Have Access to Autopsy Reports? (12/05)

Citizen Letters

- Contacting Government Bodies: Are Citizens' Letters Confidential? (12/02)

Emergency Response Plans

- Emergency Response Plans: What Information is Open to the Public? (4/07)

Library Records

- Are Your Library Records Confidential? A criminal or juvenile justice agency can obtain access to library records if investigating a person suspected of committing a crime. (6/06)

Peace Officer Emails and Phone Records

- Are E-Mails and Telephone Billing Records of Peace Officers in Law Enforcement Agencies Confidential? (5/07)
Personal Information
- Who Has Access to Personal Information Citizens Provide to State Agencies? (6/03)

Personnel Records

Resumes and Applications
- Are resumes and application letters submitted to government bodies public records? (5/03)

Settlement Agreements
- No Secret Settlements: The public is entitled to know when a government body settles litigation. In government, settlements are not secret. (6/04)

General Information on Iowa’s Sunshine Laws
Education on Sunshine Laws
- Open Meetings? Public Records? Who informs public officials about Sunshine Laws? (1/05)

Remedies and Enforcement
- What is the Cost for Noncompliance? (12/03)

- "But My Lawyer Said This Was Legal!" Can legal advice shield sunshine violators? (8/04)

- Two Strikes and You're Out! Courts can remove public officials from office on the second violation of sunshine laws. (6/05)

- Can Members of the Public Sue to Enforce Iowa's Sunshine Laws? Yes -- the law arms the public with remedies. (5/06)