

CHAPTER 8  
OPEN MEETINGS

**497—8.1(21,23) Notice.**

**8.1(1) *When posted.*** As provided in Iowa Code section 21.4, a governmental body shall give notice of the time, date, and place of the meeting and the tentative agenda at least 24 hours prior to the commencement of the meeting unless for good cause such notice is impossible or impractical. The notice requirement also applies when there is a change to the original notice except as provided in Iowa Code section 21.4(3).

**8.1(2) *Where posted.*** Notice shall be posted at those locations designated in Iowa Code section 21.4. The notice shall be posted in an area that is easily accessible by the public or in an area where the notice is easily viewable by the public and shall be posted for at least 24 hours prior to the commencement of the meeting unless for good cause such notice is impossible or impractical. The posting of a notice in an area that is not normally used for the posting of notices or public announcements shall not be deemed proper notice. However, if the posting of a notice in an area normally used for posting of notices is not reasonable or practical such as the area is under construction or renovation, the notice shall be posted in an area that is otherwise easily accessible by the public or in an area where the notice is easily viewable by the public.

**8.1(3) *Closed session.*** When a governmental body includes a closed session item on the tentative agenda, the notice shall include a brief statement of the purpose of the closed session. It shall not be deemed sufficient notice for the governmental body to only reference the statute by number and subparagraph without more information. For example, it shall not be sufficient notice for the governmental body to list as an agenda item “closed session 21.5(1)(a).” The brief statement of purpose does not require the governmental body to provide more information than what is required under subparagraphs (a) through (l) in Iowa Code section 21.5(1). Examples of notice deemed sufficient would be “closed session 21.5(1)(c) discuss litigation with counsel” or “closed session 21.5(1)(l) discuss patient care quality or discuss marketing and pricing strategies.”

This rule is intended to implement Iowa Code chapter 21.  
[ARC 2091C, IAB 8/5/15, effective 9/9/15]

**497—8.2(21,23) Closed session.**

**8.2(1) *Who may attend.*** A governmental body has the discretion as to who it may invite to attend a closed session. However, if the governmental body holds a closed session under Iowa Code section 21.5(1) “c” to discuss strategy with counsel, the legal counsel for the governmental body shall be in attendance at the closed session either in person or by electronic means.

**8.2(2) Reserved.**

This rule is intended to implement Iowa Code section 21.5.  
[ARC 2315C, IAB 12/23/15, effective 1/27/16]

[Filed ARC 2091C (Notice ARC 2010C, IAB 5/27/15), IAB 8/5/15, effective 9/9/15]

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