

621—12.11(17A,20,22) Availability of records.

12.11(1) General. Agency records are open for public inspection and copying unless otherwise provided by rule or law.

12.11(2) Confidential records. The following records may be withheld from public inspection. Records are listed by category, according to the legal basis for withholding them from public inspection.

a. Records which are exempt from disclosure pursuant to Iowa Code section 22.7.
b. Minutes of closed meetings of a government body pursuant to Iowa Code section 21.5(5).
c. Mediators' documents, including proposals, notes, memoranda, or other paperwork product, relating to mediation of agency cases and collective bargaining negotiations pursuant to Iowa Code section 20.31.

d. A show of interest contained in representation and decertification case files, in which public employees indicate by original signature whether they wish to be represented by or decertify a certified employee organization for representation or decertification election pursuant to Iowa Code section 22.7(69).

e. Those portions of agency staff manuals, instructions or other statements issued which set forth criteria or guidelines to be used by the agency when disclosure of these statements would:

- (1) Enable law violators to avoid detection.
- (2) Facilitate disregard of requirements imposed by law.
- (3) Give a clearly improper advantage to persons who are in an adverse position to the agency. (See Iowa Code sections 17A.2 and 17A.3.)

f. Records which constitute attorney work product, attorney-client communications, or which are otherwise privileged. Attorney work product is confidential pursuant to Iowa Code sections 22.7(4), 622.10, and 622.11; Iowa R. Civ. P. 1.503; Fed. R. Civ. P. 26(b); and case law. Attorney-client communications are confidential pursuant to Iowa Code sections 622.10 and 622.11, the rules of evidence, the Code of Professional Responsibility, and case law.

g. Sealed bids received prior to the time set for public opening of bids pursuant to Iowa Code section 72.3.

h. Individual financial records pursuant to Iowa Code sections 422.20 and 422.72.

i. Identifying details in final orders, decisions, and opinions to the extent required to prevent a clearly unwarranted invasion of personal privacy pursuant to Iowa Code section 17A.3(1) "e."

j. Criminal investigative reports or investigative data pursuant to Iowa Code section 22.7(5).

k. Criminal history and intelligence data pursuant to Iowa Code sections 22.7(9), 692.3, and 692.18.

l. Minutes of testimony pursuant to Iowa Rules of Criminal Procedure 2.4(6)(a) and 2.5(3).

m. Information which is confidential under the law governing the agency providing information to this agency.

n. Biographical or identifying information about a child victim pursuant to Iowa Code chapter 915.

o. Victim registration pursuant to Iowa Code chapter 915.

p. Any other records made confidential by law.

12.11(3) Authority to release confidential records. The agency may have discretion to disclose some confidential records which are exempt from disclosure under Iowa Code section 22.7 or other law. Any person may request permission to inspect these records withheld from inspection under a statute which authorizes limited or discretionary disclosure as provided in rule 621—12.4(17A,20,22). If the agency initially determines that it will release such records, the agency may where appropriate notify interested persons and withhold the records from inspection as provided in subrule 12.4(3).

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