

---

## FISCAL UPDATE Article

Fiscal Services Division

October 29, 2024



---

Ground Floor, State Capitol Building

Des Moines, Iowa 50319

515.281.3566

### IOWA PUBLIC INFORMATION BOARD MEETING — OCTOBER 2024

**Meeting.** The Iowa Public Information Board met on October 17, 2024, at the Wallace State Office Building in Des Moines.

The Board took the following actions:

- **Approved Minutes.** The Board approved the meeting minutes from the September 19, 2024, Board meeting.
- **Adopted Advisory Opinion.** The Board adopted one advisory opinion regarding whether Iowa Code section [22.7\(5A\)](#) requires that a Department of Justice (DOJ) form be utilized to maintain the confidentiality of a crisis intervention report.
- **Accepted Final Reports.** The Board accepted the following two final reports:
  - The Board accepted a final report for a complaint that the Hampton Public Library violated Iowa Code chapter [22](#), alleging the fees for a records request were not reasonable. The complaint allegation was dismissed as successfully resolved.
  - The Board accepted a final report for a complaint alleging that the city of Eldora violated Iowa Code chapter 22 by not providing the requested records to the complainant. The complaint allegation was dismissed as successfully resolved.
- **Accepted Probable Cause Report.** The Board accepted one probable cause report. The Board found that probable cause exists that the city of Davenport violated Iowa Code chapter 22, alleging that the city did not comply with a records request. The complaint allegation was dismissed for lack of probable cause after the city provided the complainant with the requested records.
- **Accepted Informal Resolution Report.** The Board accepted the following two informal resolution reports:
  - A complaint was filed against the Pekin Community School District for a violation of Iowa Code chapter 22, alleging failure to provide public records that were stored on personal devices. As part of the informal resolution, the school district will acknowledge the violation and make a good faith effort in reviewing all public records on personal devices related to the records request; members of the school district will provide an affidavit acknowledging the search of personal devices; records related to the complaint will be provided to the Board and the complainant, free of charge; a policy or procedure that will address public records on personal devices will be developed and provided to the Board; members of the school district will complete training related to public records on personal devices; and the informal resolution will be formally approved at a meeting of the Pekin Community School District Board.
  - A complaint was filed against the Montgomery County Board of Supervisors for a violation of Iowa Code chapter [21](#), alleging that open session requirements were conducted in a closed session. As part of the informal resolution, the county will acknowledge at an open meeting that a violation of Iowa Code chapter 21 occurred with the acknowledgment being recorded in the meeting minutes, which will be provided to the Board; the county will establish and provide to the Board a checklist to be used for closed session meetings to ensure compliance with Iowa Code chapter 21; training will be provided to the Montgomery County Board of Supervisors during an open meeting; and approval of the informal resolution will occur during an open meeting and the minutes will be provided to the Board.
- **Tabled Cases.** The Board tabled one case for future discussion.

- **Dismissed Cases.** The Board dismissed eight complaint allegations. The Board found that the dismissed cases did not fall under the Board's jurisdiction, were legally insufficient, were harmless error, or did not have merit pursuant to Iowa Code section [23.8\(2\)](#).
- **Accepted Cases.** The Board accepted the following four complaint allegations:
  - A complaint allegation was filed against the Monroe County Sheriff's Office pursuant to Iowa Code chapter 22 for failure to provide requested records and failure to provide a justification for the request denial.
  - A complaint allegation was filed against the Page County Board of Supervisors pursuant to Iowa Code chapter 21 for failure to provide accurate minutes of a vote held by the Board.
  - A complaint allegation was filed against the Jefferson County Board of Supervisors pursuant to Iowa Code chapter 22 for failure to complete a records request.
  - A complaint allegation was filed against the Mahaska County Sheriff's Office pursuant to Iowa Code chapter 22 for failure to complete a records request.

**Next Meeting.** The next Board meeting will be held on November 21, 2024, at 1:00 p.m. at the Wallace State Office Building in Des Moines.

LSA Staff Contact: Joey Lovan (515.242.5925) [joey.lovan@legis.iowa.gov](mailto:joey.lovan@legis.iowa.gov)

Doc ID 1462978