

Reputation is Everything: Iowa Supreme Court Clarifies Use of Closed Session Job Interviews

by William J. Miller, Joshua Hughes, Cristina Kuhn, Alissa Smith, and John P. Danos

The Iowa Supreme Court recently decided *Teig v. Hart*, [No. 24-0029](#) (Nov. 25, 2025), which provides much-needed clarity to governmental bodies on the limits to Iowa's open meetings law. The Iowa Supreme Court's opinion in *Teig* clearly establishes that local officials, not a reviewing court, should determine whether a closed session is necessary to prevent "needless and irreparable injury" to the reputation of a candidate for employment with the public body. However, this decision has implications for the wide range of actions related to a governmental body evaluating an individual's professional competency.

The Iowa Open Meetings Law (Iowa Code Ch. 21) requires most governing bodies in the state—whether at the state, county, city, school, or local level—to conduct its business in open, public meetings so that Iowans have "access to the deliberations and decisions of their government."¹ But this access is limited by practicality, and the statute: the Open Meetings Law describes twelve circumstances in which a body may enter a "closed" session, where the public is not allowed and records of discussions are sealed from public inspection.² While many of the exceptions pertain to legal or other sensitive matters (e.g., closed sessions "to discuss strategy with counsel[.]" or "to discuss hearings to suspend or expel a student[.]"), the law also provides a body may enter closed session:

To evaluate the professional competency of an individual whose appointment, hiring, performance, or discharge is being considered when necessary to prevent needless and irreparable injury to that individual's reputation and that individual requests a closed session.³

This "Evaluation Exception" has three operative parts. First, the governmental body must be considering the professional competency of a past, current, or future employee, contractor, or appointee. Second, the discussion about the employment action must have some risk of causing "needless and irreparable injury to [the] individual's reputation[.]"

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Finally, the individual must request a closed session.

The Iowa Supreme Court's decision in *Teig* helps answer how to apply these portions of the Evaluation Exception in practice. The *Teig* case involved the City of Cedar Rapids's hiring a new city clerk. The interim city clerk applied and requested a closed session. Testimony in the case established that the interim clerk did not know all of the incumbent city council members (who would interview her), nor did she expect any specific issues regarding her performance in her city employment to be discussed. Testimony also established that the city council members had no reason to expect negative or harmful information would be disclosed in the closed session. In actuality, the closed-session job interview was "positive in tone" and the interim city clerk was offered the role as permanent city clerk following the end of the closed session.

After the hiring of the interim clerk, a resident of Linn County requested documents relating to the reason to hold a closed session for a job interview and then sued the city for violations of the Iowa Open Meetings Law. The district court in Linn County rejected the resident's claims, but the Iowa Court of Appeals reversed that ruling. The resident's primary complaint, which was echoed by the court of appeals decision, was that the Cedar Rapids City Council never asked or considered whether a closed session was *actually necessary* to prevent "needless and irreparable injury" to the interim city clerk's reputation. As the evidence showed, there was no reason to believe such injury to reputation was imminent, and seemingly none occurred: the interim clerk was offered the permanent role. The court of appeals determined the interim clerk's request, without any information supporting it or inquiry by the city council, was not sufficient to trigger the Evaluation Exception.

The Iowa Supreme Court reversed the Iowa Court of Appeals, reinstating the original district court ruling determining that the city council had not violated the Iowa Open Meetings Law. The supreme court recognized the inherent unpredictability of a job interview, where applicants do not know the questions to be asked and the prospective employer does not know how the applicant will respond or what they may volunteer. Protecting the privacy of those conversations, when the applicant requests a closed session, serves the prophylactic purpose of the statute: to "prevent" harmful reputational disclosures, not to "remedy" or "recompense" for reputational damages. In other words, allowing closed sessions for job interviews is consistent with the other provisions of the Iowa Open Meetings Law: it avoids trying to "un-ring the bell," by preventing the harm to the applicant in the first place.

The supreme court's ruling in *Teig* implicitly directs courts to take a softer, more deferential approach to reviewing claims under the Iowa Open Meetings Law with respect to the Evaluation Exception. But *Teig* is no license to go too far in the other direction by holding closed meetings if they are not justified or improperly noticed or closed. Evidence that a public body was engaged in bad faith, for example by trying to close an interview to circumvent a fair process, would require different analysis. And, as the supreme court reminded readers, the records from closed sessions must be

maintained (even if they are not publicly reviewable).

Finally, the supreme court emphasized that the closure of a public meeting under the Evaluation Exception is a mutual agreement: the individual must request the closed session, and the governmental body must vote (by a two-thirds margin) to enter closed session. This mutual buy-in from the individual and the elected representatives of the public maintains the balance between providing lowans access to government decision making *and* protecting the reputation of those seeking to serve the public. However, when it comes to individuals whose professional competence is being evaluated, *Teig* confirms that it is unnecessary to scrutinize the motives or basis for that individual's request for a closed session.

¹ *Teig*, Slip. Op. at 3.

² See *generally* Iowa Code § 21.5 (2025).

³ Iowa Code § 21.5(1)(i).